

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DONALD AGEE, JR. et al.,

Plaintiffs,

v.

JOCELYN BENSON, et al.,

Defendants.

**Case No. 1:22-CV-00272-PLM-RMK-JTN**

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MICHIGAN  
INDEPENDENT  
CITIZENS  
REDISTRICTING  
COMMISSION



## Report on 2021 Redistricting

Commission Report adopted on Aug. 18, 2022



JA00570



## **FOREWORD**

For most of Michigan's history, redistricting was conducted by the State Legislature—a process that all too often sparked political controversy and judicial intervention when the Legislature and Governor could not agree on a plan. In response, Michigan voters approved a constitutional amendment in 2018 that created a **Michigan Independent Citizens Redistricting Commission (MICRC)** and vested it with exclusive authority to adopt new district boundaries based on census data for the Michigan Senate, Michigan House of Representatives, and U.S. House of Representatives every 10 years beginning in 2021.

The [\*\*Michigan Constitution\*\*](#) vests the State's redistricting process in the hands of the MICRC, led by 13 Commissioners who are selected using a process designed to provide for balanced, independent, and transparent governance. Commissioners were selected and appointed by August 2020 using the process outlined in the constitutional amendment. In order to ensure balance, under the Michigan Constitution, our 13 Commissioners are politically balanced: four members who affiliated with the Democratic party, four members who affiliated with the Republican party, and five members who were not affiliated with any political party.

Together, we completed the first open, independent and citizen-led redistricting process in Michigan history while far surpassing the MICRC's goals for public comment, public hearing attendance and news media coverage. The Michigan Constitution mandated at least 10 public hearings around the state during 2020-21. We held at least 139 public meetings, including 16 hearings prior to drafting maps, and received over 29,000 public comments.

Our mission since we began in 2020 was to lead Michigan's redistricting process to assure Michigan's Congressional, State Senate, and State House district lines were drawn fairly in a transparent manner, meeting Constitutional mandates. Our aim throughout the process was to raise public awareness of the commission, encourage citizens to participate in the map-making process, generate consistent news media coverage to inform the public and answer questions from the news media and public about the commission's work.

Without question, the MICRC's efforts to complete its responsibilities was challenged by the greatest public health crisis in more than a century caused by the devastating spread of the COVID-19 pandemic. The Michigan census data the commission anticipated using in early 2021 was not provided by the U.S. Census Bureau until late September due to COVID-related delays. While the lack of timely census data did not ultimately impede the commission from faithfully serving the people of Michigan, it did contribute to the MICRC's final maps not being approved until Dec. 28.

Despite these challenges, the MICRC fulfilled its constitutional mandate. We met or surpassed every metric of public observation and participation. From September 17, 2020, through May 6, 2021, before map drawing began we held 35 public meetings to address preliminary matters like hiring staff, procurement activities, and adoption of procedures. While the Michigan Constitution required the Commission to hold ten public hearings before drafting any maps, we held sixteen. After the release of 2020 census data by the U.S. Census Bureau, we created draft proposed maps. At this stage, we held 38 more public meetings, including five public hearings, throughout the state.

After winnowing the list of draft proposed U.S. House of Representatives, Michigan House of Representatives, and Michigan Senate plans to 15 plans, we published those proposed plans, accepted more feedback, and held an additional four meetings before adopting, at our December 28, 2021, meeting, new redistricting plans. As the Constitution requires, each plan was adopted by the vote of at



least two Commissioners affiliated with the two major parties and two Commissioners affiliated with no party.

Getting public input and promoting transparency in the MICRC process was of the utmost importance so that the public had confidence in our work as well as the work of future Michigan redistricting commissions. Holding dozens of meetings in every region of the state throughout 2020-21 was instrumental to the MICRC's ability to gain knowledge and insights from the public, allowing the MICRC to then systematically go through and make the changes that we needed to comply with the seven ranked redistricting criteria, which include compliance with the Voting Rights Act and partisan fairness.

Planning and research was fundamental to the MICRC's work. The MICRC consulted with leaders of redistricting commissions from California and Arizona, the first and second states in the nation, respectively, to approve similar commissions, respectively. We heard from experts with the University of Michigan and Michigan State University. We received feedback on our proposed maps from dozens of organizations that helped shape our decisions.

"Redistricting is never easy," as the U.S. Supreme Court stated in *Abbott v. Perez*. This process has proved that although redistricting presents unique challenges, the MICRC has been successful in collaboratively overcoming those challenges. The adopted redistricting plan with new legislative boundaries will be used for the 2022 primary and general elections.

The MICRC is proud of what we achieved. We are not alone in that belief.

The Princeton Gerrymandering Project, a nonpartisan research group that analyzes redistricting with the aim of eliminating partisan gerrymandering across the country, graded the MICRC's congressional map with an overall score of "A" and a "B" for the state House and Senate maps, saying "compared to a lot of maps across the country, they did very well."

As one [New York newspaper editorial](#) observed after the MICRC's landmark maps were announced: "The state of Michigan has just done something almost miraculous in this time of political acrimony – and something every citizen in America should want their state to do: It has done away, as much as possible, with political gerrymandering and taken a giant leap toward guaranteeing fair state and federal representation."

Equally important, the MICRC commissioned the Glengariff Group, Inc. to conduct two pre- and post-campaign statewide surveys of Michigan voters. The benchmarking survey was conducted March 27-31, 2021. The post-survey was a 600 sample, live operator telephone survey conducted on Feb. 11-14, 2022 and has a margin of error of +/-4.0% with a 95% level of confidence.

Key results from the post-campaign public opinion survey show:

- Most impressively, at the conclusion of the survey, all voters were asked if Michigan should continue to allow the Michigan Independent Citizens' Redistricting Commission to redraw the state's maps or should Michigan go back to allowing elected representatives that have control in the State Legislature to redraw the maps. ***By an overwhelming margin of 65.5% to 10.1%, Michigan voters say the state should continue with the redistricting commission moving forward.***
- Voters were asked if Michigan citizens did or did not have a greater role in deciding how new districts would be drawn. By a margin of 45.0%-22.1%, voters aware of the MICRC's work believe Michigan citizens did have a great role.



- Voters were asked if the Commission succeeded or failed in giving Michigan citizens a greater role than politicians in designing new districts. By a margin of 49.6%-22.1%, voters aware of the MICRC's work said the MICRC succeeded in giving Michigan citizens a greater role.

We believe our democracy is stronger thanks to Michigan citizens' engagement, leadership and vision for a fair, inclusive and transparent process that puts voters above politics and hopefully ensures gerrymandering in Michigan is done once and for all.



## **PURPOSE STATEMENT**

This report fulfills the MICRC's requirement enumerated as follows in the Michigan Constitution:

*"(16) For each adopted plan, the commission shall issue a report that explains the basis on which the commission made its decisions in achieving compliance with plan requirements and shall include the map and legal description required in part (9) of this section. A commissioner who votes against a redistricting plan may submit a dissenting report which shall be issued with the commission's report."*

The seven ranked, constitutionally mandated criteria below were used to draw new district boundaries for the state's Congressional, State Senate and State House districts:

*"(a) Districts shall be of equal population as mandated by the United States constitution, and shall comply with the voting rights act and other federal laws.*

*(b) Districts shall be geographically contiguous. Island areas are considered to be contiguous by land to the county of which they are a part.*

*(c) Districts shall reflect the state's diverse population and communities of interest. Communities of interest may include, but shall not be limited to, populations that share cultural or historical characteristics or economic interests. Communities of interest do not include relationships with political parties, incumbents, or political candidates.*

*(d) Districts shall not provide a disproportionate advantage to any political party. A disproportionate advantage to a political party shall be determined using accepted measures of partisan fairness.*

*(e) Districts shall not favor or disfavor an incumbent elected official or a candidate.*

*(f) Districts shall reflect consideration of county, city, and township boundaries.*

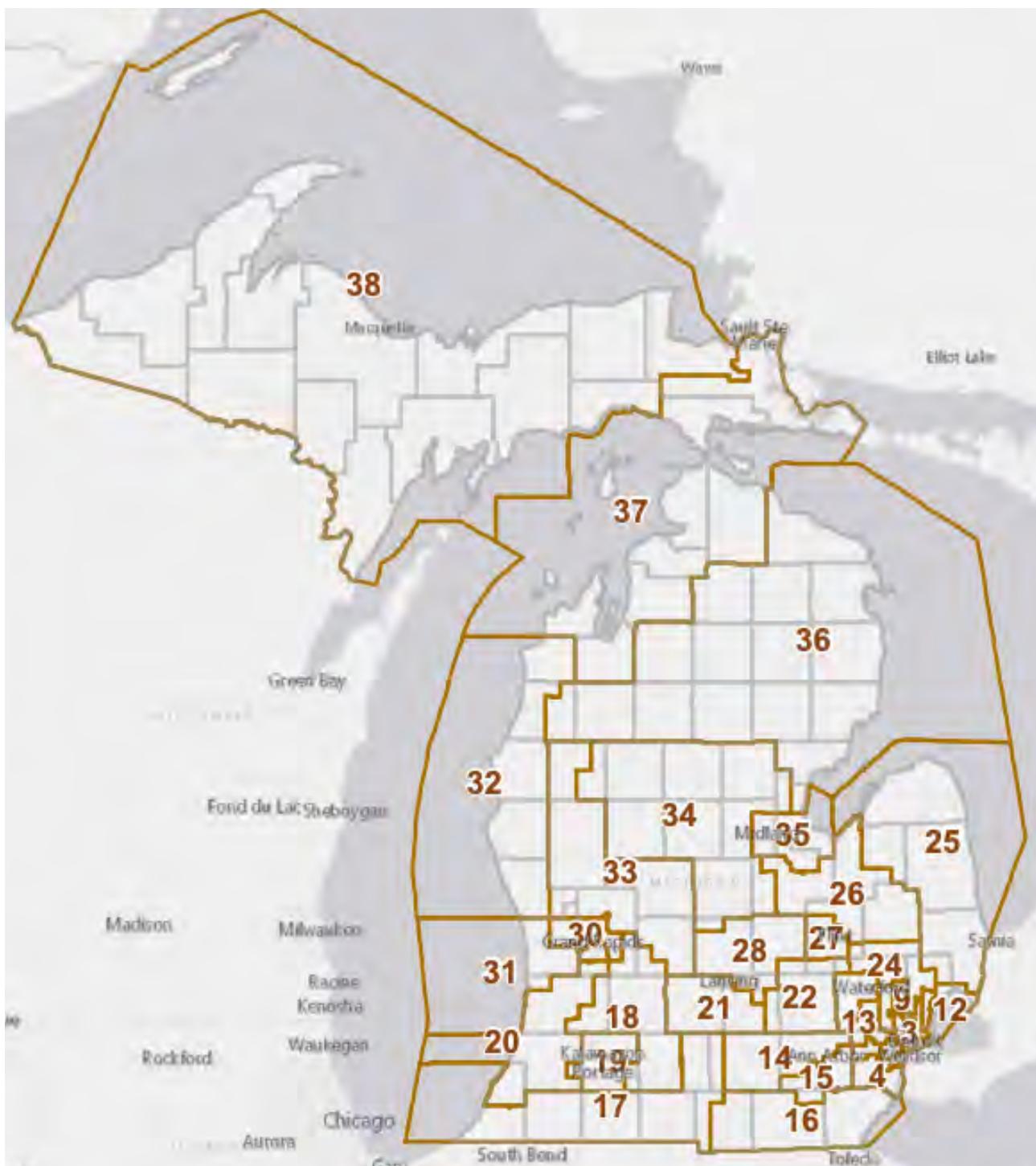
*(g) Districts shall be reasonably compact."*



## Michigan State Senate Districts

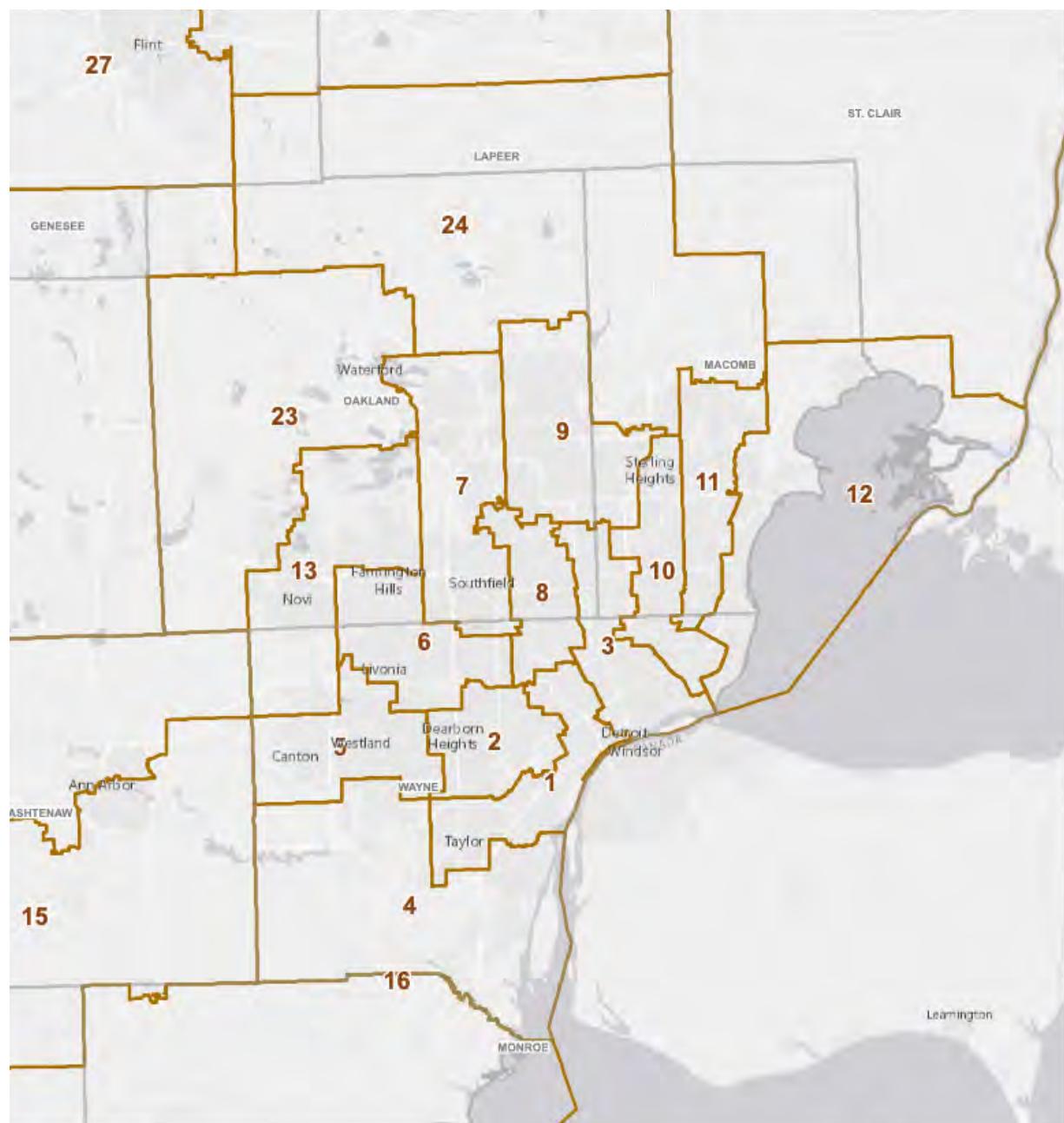
The Michigan Independent Citizen's Redistricting Commission approved the following map and district boundaries for the 38 state senate districts.

### Legal Description & Interactive Map





## METRO DETROIT





## **POPULATION**

*"(a) Districts shall be of equal population as mandated by the United States constitution, and shall comply with the voting rights act and other federal laws."*

The Michigan Independent Citizens Redistricting Commission sought and relied on legal counsel and expert advice in order to draw plans that complied with the requirements of the United States constitution, the Voting Rights Act and other federal laws. Material reflecting that counsel and advice is accessible on the Commission's website.

**[Meeting Notices & Materials](#)**

**[Meeting Notices & Materials Archives](#)**

**[Mapping Data](#)**



DISTRICT	Total Population				Racial Demographics as Percent of Total Population					Voting Age Population		Racial Demographics as Percent of Voting Population					
	All Persons	Target	Dev.	Difference	NH White	NH Black	NH Asian	Hispanic	Minority	VAP	% of Total	NH White	NH Black	NH Asian	Hispanic	Minority	
1	270,366	265,193	1.95%	✓	5,173	38.73%	34.78%	0.85%	19.30%	61.27%	201,593	74.6%	42.88%	35.03%	0.93%	16.83%	57.12%
2	260,296	265,193	-1.85%	✓	-4,897	61.33%	24.66%	1.60%	8.81%	38.67%	188,578	72.4%	61.85%	24.47%	1.83%	7.88%	38.15%
3	268,291	265,193	1.17%	✓	3,098	39.96%	42.25%	10.11%	2.40%	60.04%	212,874	79.3%	41.95%	42.09%	9.46%	2.19%	58.05%
4	259,877	265,193	-2.00%	✓	-5,316	74.98%	14.56%	2.25%	6.09%	25.02%	214,717	82.6%	74.71%	13.32%	2.14%	4.98%	25.29%
5	260,723	265,193	-1.69%	✓	-4,470	62.23%	19.28%	9.16%	3.96%	37.77%	205,113	78.7%	65.09%	18.25%	8.86%	3.42%	34.91%
6	269,435	265,193	1.60%	✓	4,242	44.15%	39.61%	5.40%	2.93%	55.85%	205,711	76.3%	48.95%	39.15%	5.55%	2.60%	51.05%
7	258,715	265,193	-2.44%	✓	-6,478	39.05%	45.54%	4.57%	7.55%	60.95%	208,010	80.4%	40.54%	44.78%	4.71%	6.20%	59.46%
8	267,500	265,193	0.87%	✓	2,307	47.83%	40.57%	1.66%	2.48%	52.17%	206,961	77.4%	52.04%	40.25%	1.85%	2.28%	47.96%
9	260,091	265,193	-1.92%	✓	-5,102	71.32%	4.34%	17.23%	3.75%	28.68%	206,406	79.4%	73.16%	4.24%	16.23%	3.18%	26.84%
10	260,891	265,193	-1.62%	✓	-4,302	47.66%	44.75%	4.16%	2.22%	52.34%	207,211	79.4%	50.14%	40.43%	3.95%	1.90%	49.86%
11	267,881	265,193	1.01%	✓	2,688	66.85%	20.46%	2.30%	2.76%	33.15%	204,523	76.3%	72.05%	19.19%	2.35%	2.38%	27.95%
12	270,210	265,193	1.89%	✓	5,017	75.00%	12.13%	1.16%	2.78%	25.00%	207,870	76.9%	81.01%	11.52%	1.29%	2.34%	18.99%
13	258,822	265,193	-2.40%	✓	-6,371	73.56%	8.54%	13.82%	3.34%	26.44%	213,186	82.4%	73.47%	8.19%	12.43%	2.77%	26.53%
14	262,085	265,193	-1.17%	✓	-3,108	82.27%	6.31%	5.30%	4.33%	17.73%	218,191	83.3%	80.82%	5.96%	5.36%	3.37%	19.18%
15	260,766	265,193	-1.67%	✓	-4,427	68.07%	14.59%	8.11%	6.21%	31.93%	221,289	84.9%	68.01%	13.28%	8.09%	5.32%	31.99%
16	262,182	265,193	-1.14%	✓	-3,011	89.48%	2.47%	0.56%	5.66%	10.52%	213,755	81.5%	88.39%	2.36%	0.57%	4.46%	11.61%
17	266,557	265,193	0.51%	✓	1,364	84.35%	4.39%	0.97%	6.06%	15.65%	209,069	78.4%	85.38%	4.32%	1.02%	4.72%	14.62%
18	268,135	265,193	1.11%	✓	2,942	83.41%	4.92%	1.70%	4.49%	16.59%	205,401	76.6%	85.77%	4.66%	1.56%	3.62%	14.23%
19	262,619	265,193	-0.97%	✓	-2,574	76.77%	11.36%	2.70%	5.88%	23.23%	211,508	80.5%	77.49%	10.03%	2.71%	4.80%	22.51%
20	262,284	265,193	-1.10%	✓	-2,909	75.11%	9.05%	2.03%	8.53%	24.89%	200,292	76.4%	78.64%	8.34%	1.95%	6.73%	21.36%
21	271,390	265,193	2.34%	✓	6,197	68.10%	11.61%	2.75%	8.46%	31.90%	205,416	75.7%	73.70%	11.23%	2.77%	7.38%	26.30%
22	264,573	265,193	-0.23%	✓	-620	89.50%	0.65%	0.78%	2.86%	10.50%	204,483	77.3%	92.17%	0.65%	0.83%	2.37%	7.83%
23	263,780	265,193	-0.53%	✓	-1,413	85.17%	3.66%	2.70%	5.03%	14.83%	211,880	80.3%	85.65%	3.52%	2.62%	4.05%	14.35%
24	271,211	265,193	2.27%	✓	6,018	83.91%	1.69%	2.41%	3.77%	16.09%	203,066	74.9%	89.06%	1.70%	2.44%	3.24%	10.94%
25	264,345	265,193	-0.32%	✓	-848	89.17%	2.24%	0.45%	3.64%	10.83%	209,073	79.1%	90.82%	2.19%	0.46%	2.94%	9.18%
26	266,938	265,193	0.66%	✓	1,745	84.87%	3.15%	0.42%	4.46%	15.13%	206,886	77.5%	88.51%	3.13%	0.44%	3.71%	11.49%
27	269,043	265,193	1.45%	✓	3,850	57.85%	27.73%	1.22%	4.07%	42.15%	200,250	74.4%	63.00%	27.27%	1.32%	3.66%	37.00%
28	265,180	265,193	0.00%	✓	-13	78.73%	4.65%	5.09%	5.07%	21.27%	210,771	79.5%	81.43%	4.84%	5.29%	4.38%	18.57%
29	263,566	265,193	-0.61%	✓	-1,627	55.33%	16.51%	4.61%	18.56%	44.67%	200,247	76.0%	60.57%	15.37%	4.63%	15.50%	39.43%
30	264,560	265,193	-0.24%	✓	-633	81.65%	5.68%	2.38%	7.62%	18.35%	212,420	80.3%	82.52%	5.06%	2.30%	6.18%	17.48%
31	267,918	265,193	1.03%	✓	2,725	79.46%	1.56%	2.85%	10.84%	20.54%	200,843	75.0%	83.32%	1.41%	2.92%	9.22%	16.68%
32	270,401	265,193	1.96%	✓	5,208	75.58%	9.07%	0.52%	6.01%	24.42%	205,945	76.2%	80.98%	8.80%	0.55%	4.92%	19.02%
33	267,378	265,193	0.82%	✓	2,185	87.59%	2.51%	0.43%	5.12%	12.41%	207,138	77.5%	88.65%	2.99%	0.43%	4.33%	11.35%
34	261,805	265,193	-1.28%	✓	-3,388	90.54%	2.22%	0.72%	3.76%	9.46%	213,991	81.7%	89.33%	2.34%	0.72%	3.01%	10.67%
35	268,708	265,193	1.33%	✓	3,515	74.07%	12.21%	1.54%	7.75%	25.93%	211,487	78.7%	76.93%	11.30%	1.55%	6.32%	23.07%
36	270,486	265,193	2.00%	✓	5,293	92.65%	0.35%	0.36%	2.03%	7.35%	220,106	81.4%	93.79%	0.30%	0.37%	1.55%	6.21%
37	261,707	265,193	-1.31%	✓	-3,486	87.54%	0.73%	0.59%	2.45%	12.46%	213,146	81.4%	89.30%	0.75%	0.57%	1.95%	10.70%
38	266,616	265,193	0.54%	✓	1,423	88.14%	1.65%	0.69%	1.74%	11.86%	217,404	81.5%	89.52%	1.90%	0.72%	1.43%	10.48%

Assigned 10077331

Total Pop 10077331

Inassigned 0



## PARTISAN FAIRNESS

(d) Districts shall not provide a disproportionate advantage to any political party. A disproportionate advantage to a political party shall be determined using accepted measures of partisan fairness.

The Michigan Independent Citizen's Redistricting Commission evaluated partisan fairness using four mathematical models. The adopted map did not provide 'disproportionate advantage' to any political party under any of the models used to measure partisan fairness.

### Lopsided Margins

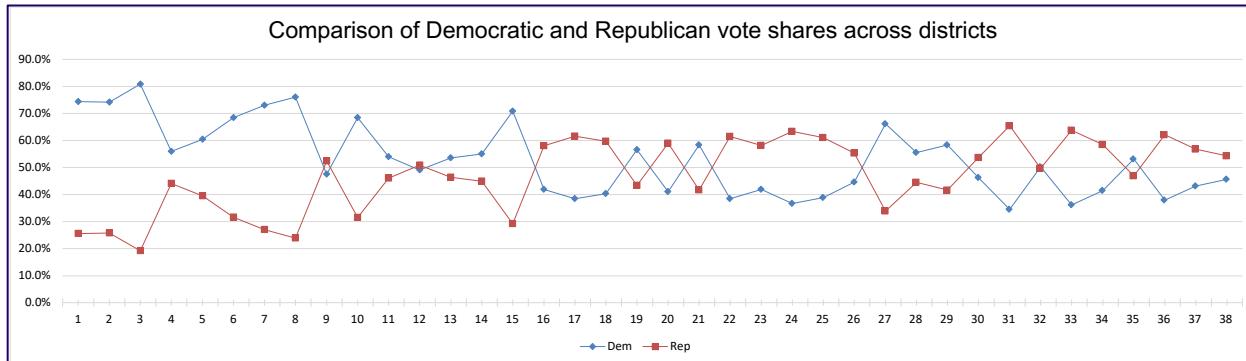
Average Winning Margin	Dem	63.2%
	Rep	58.7%

Finding	
Rep	Districts have a lopsided margin advantage of <b>4.5%</b>

DISTRICT	Party		Total Votes	Percent Votes		Party Wins	
	Dem	Rep		Dem	Rep	Dem	Rep
1	851,070	292,452	1,143,522	74.4%	25.6%	74.4%	
2	755,866	262,569	1,018,435	74.2%	25.8%	74.2%	
3	946,197	224,423	1,170,620	80.8%	19.2%	80.8%	
4	828,426	653,023	1,481,449	55.9%	44.1%	55.9%	
5	851,926	556,975	1,408,901	60.5%	39.5%	60.5%	
6	1,016,114	469,106	1,485,220	68.4%	31.6%	68.4%	
7	1,132,528	418,860	1,551,388	73.0%	27.0%	73.0%	
8	1,251,274	394,020	1,645,294	76.1%	23.9%	76.1%	
9	705,117	777,377	1,482,494	47.6%	52.4%		52.4%
10	914,105	420,349	1,334,454	68.5%	31.5%	68.5%	
11	770,214	657,708	1,427,922	53.9%	46.1%	53.9%	
12	802,043	830,837	1,632,880	49.1%	50.9%		50.9%
13	938,950	814,031	1,752,981	53.6%	46.4%	53.6%	
14	860,212	701,929	1,562,141	55.1%	44.9%	55.1%	
15	1,087,019	448,037	1,535,056	70.8%	29.2%	70.8%	
16	605,886	839,809	1,445,695	41.9%	58.1%		58.1%
17	503,371	806,208	1,309,579	38.4%	61.6%		61.6%
18	577,925	855,830	1,433,755	40.3%	59.7%		59.7%
19	857,354	656,945	1,514,299	56.6%	43.4%	56.6%	
20	580,817	834,128	1,414,945	41.0%	59.0%		59.0%
21	873,298	623,609	1,496,907	58.3%	41.7%	58.3%	
22	632,830	1,012,216	1,645,046	38.5%	61.5%		61.5%
23	678,270	941,820	1,620,090	41.9%	58.1%		58.1%
24	591,273	1,021,738	1,613,011	36.7%	63.3%		63.3%
25	570,630	894,868	1,465,498	38.9%	61.1%		61.1%
26	694,054	861,687	1,555,741	44.6%	55.4%		55.4%
27	948,759	485,590	1,434,349	66.1%	33.9%	66.1%	
28	822,315	659,345	1,481,660	55.5%	44.5%	55.5%	
29	742,769	530,176	1,272,945	58.4%	41.6%	58.4%	
30	705,493	818,997	1,524,490	46.3%	53.7%		53.7%
31	532,144	1,009,913	1,542,057	34.5%	65.5%		65.5%
32	717,007	710,001	1,427,008	50.2%	49.8%	50.2%	
33	494,983	873,196	1,368,179	36.2%	63.8%		63.8%
34	569,367	802,097	1,371,464	41.5%	58.5%		58.5%
35	832,714	734,835	1,567,549	53.1%	46.9%	53.1%	
36	618,130	1,010,985	1,629,115	37.9%	62.1%		62.1%
37	736,347	969,123	1,705,470	43.2%	56.8%		56.8%
38	691,811	823,414	1,515,225	45.7%	54.3%		54.3%



## Lopsided Margins





## Mean-Median Difference

District Median Percentage	Dem	51.7%
	Rep	48.3%
Statewide mean percentage	Dem	52.8%
	Rep	47.2%
Mean-Median Difference	Dem	1.2%
	Rep	-1.2%

Findings		
Rep	Districts have a mean-median advantage of	<b>1.2%</b>

DISTRICT	Party	
	Dem	Rep
1	74.4%	25.6%
2	74.2%	25.8%
3	80.8%	19.2%
4	55.9%	44.1%
5	60.5%	39.5%
6	68.4%	31.6%
7	73.0%	27.0%
8	76.1%	23.9%
9	47.6%	52.4%
10	68.5%	31.5%
11	53.9%	46.1%
12	49.1%	50.9%
13	53.6%	46.4%
14	55.1%	44.9%
15	70.8%	29.2%
16	41.9%	58.1%
17	38.4%	61.6%
18	40.3%	59.7%
19	56.6%	43.4%
20	41.0%	59.0%
21	58.3%	41.7%
22	38.5%	61.5%
23	41.9%	58.1%
24	36.7%	63.3%
25	38.9%	61.1%
26	44.6%	55.4%
27	66.1%	33.9%
28	55.5%	44.5%
29	58.4%	41.6%
30	46.3%	53.7%
31	34.5%	65.5%
32	50.2%	49.8%
33	36.2%	63.8%
34	41.5%	58.5%
35	53.1%	46.9%
36	37.9%	62.1%
37	43.2%	56.8%
38	45.7%	54.3%



## Efficiency Gap

Statewide % Wasted Votes	Total Wasted Votes		% Wasted Votes of Total Votes
	Dem	Rep	14,932,558 13,060,859

Finding	
Rep	Candidates have an efficiency gap advantage of <b>3.3%</b>

DISTRICT	Dem	Rep	Total Votes	Dem	Rep	Minimum to win	Dem	Rep	Dem	Rep
<b>1</b>	851,070	292,452	1,143,522	0	292,452	571,761	279,309	0	279,309	292,452
<b>2</b>	755,866	262,569	1,018,435	0	262,569	509,218	246,649	0	246,649	262,569
<b>3</b>	946,197	224,423	1,170,620	0	224,423	585,310	360,887	0	360,887	224,423
<b>4</b>	828,426	653,023	1,481,449	0	653,023	740,725	87,702	0	87,702	653,023
<b>5</b>	851,926	556,975	1,408,901	0	556,975	704,451	147,476	0	147,476	556,975
<b>6</b>	1,016,114	469,106	1,485,220	0	469,106	742,610	273,504	0	273,504	469,106
<b>7</b>	1,132,528	418,860	1,551,388	0	418,860	775,694	356,834	0	356,834	418,860
<b>8</b>	1,251,274	394,020	1,645,294	0	394,020	822,647	428,627	0	428,627	394,020
<b>9</b>	705,117	777,377	1,482,494	705,117	0	741,247	0	36,130	705,117	36,130
<b>10</b>	914,105	420,349	1,334,454	0	420,349	667,227	246,878	0	246,878	420,349
<b>11</b>	770,214	657,708	1,427,922	0	657,708	713,961	56,253	0	56,253	657,708
<b>12</b>	802,043	830,837	1,632,880	802,043	0	816,440	0	14,397	802,043	14,397
<b>13</b>	938,950	814,031	1,752,981	0	814,031	876,491	62,460	0	62,460	814,031
<b>14</b>	860,212	701,929	1,562,141	0	701,929	781,071	79,142	0	79,142	701,929
<b>15</b>	1,087,019	448,037	1,535,056	0	448,037	767,528	319,491	0	319,491	448,037
<b>16</b>	605,886	839,809	1,445,695	605,886	0	722,848	0	116,962	605,886	116,962
<b>17</b>	503,371	806,208	1,309,579	503,371	0	654,790	0	151,419	503,371	151,419
<b>18</b>	577,925	855,830	1,433,755	577,925	0	716,878	0	138,953	577,925	138,953
<b>19</b>	857,354	656,945	1,514,299	0	656,945	757,150	100,205	0	100,205	656,945



## Efficiency Gap

DISTRICT	Party		Total Votes	Lost Votes		Minimum to win	Surplus Votes		Total Wasted Votes	
	Dem	Rep		Dem	Rep		Dem	Rep	Dem	Rep
<b>21</b>	873,298	623,609	1,496,907	0	623,609	748,454	124,845	0	124,845	623,609
<b>22</b>	632,830	1,012,216	1,645,046	632,830	0	822,523	0	189,693	632,830	189,693
<b>23</b>	678,270	941,820	1,620,090	678,270	0	810,045	0	131,775	678,270	131,775
<b>24</b>	591,273	1,021,738	1,613,011	591,273	0	806,506	0	215,233	591,273	215,233
<b>25</b>	570,630	894,868	1,465,498	570,630	0	732,749	0	162,119	570,630	162,119
<b>26</b>	694,054	861,687	1,555,741	694,054	0	777,871	0	83,817	694,054	83,817
<b>27</b>	948,759	485,590	1,434,349	0	485,590	717,175	231,585	0	231,585	485,590
<b>28</b>	822,315	659,345	1,481,660	0	659,345	740,830	81,485	0	81,485	659,345
<b>29</b>	742,769	530,176	1,272,945	0	530,176	636,473	106,297	0	106,297	530,176
<b>30</b>	705,493	818,997	1,524,490	705,493	0	762,245	0	56,752	705,493	56,752
<b>31</b>	532,144	1,009,913	1,542,057	532,144	0	771,029	0	238,885	532,144	238,885
<b>32</b>	717,007	710,001	1,427,008	0	710,001	713,504	3,503	0	3,503	710,001
<b>33</b>	494,983	873,196	1,368,179	494,983	0	684,090	0	189,107	494,983	189,107
<b>34</b>	569,367	802,097	1,371,464	569,367	0	685,732	0	116,365	569,367	116,365
<b>35</b>	832,714	734,835	1,567,549	0	734,835	783,775	48,940	0	48,940	734,835
<b>36</b>	618,130	1,010,985	1,629,115	618,130	0	814,558	0	196,428	618,130	196,428
<b>37</b>	736,347	969,123	1,705,470	736,347	0	852,735	0	116,388	736,347	116,388
<b>38</b>	691,811	823,414	1,515,225	691,811	0	757,613	0	65,802	691,811	65,802



## Seats to Votes Ratio

	Vote Share	Count of Seats	Seat Share	Proportionality Bias
Dem	52.3%	20	52.6%	0.3%
Rep	47.7%	18	47.4%	-0.3%

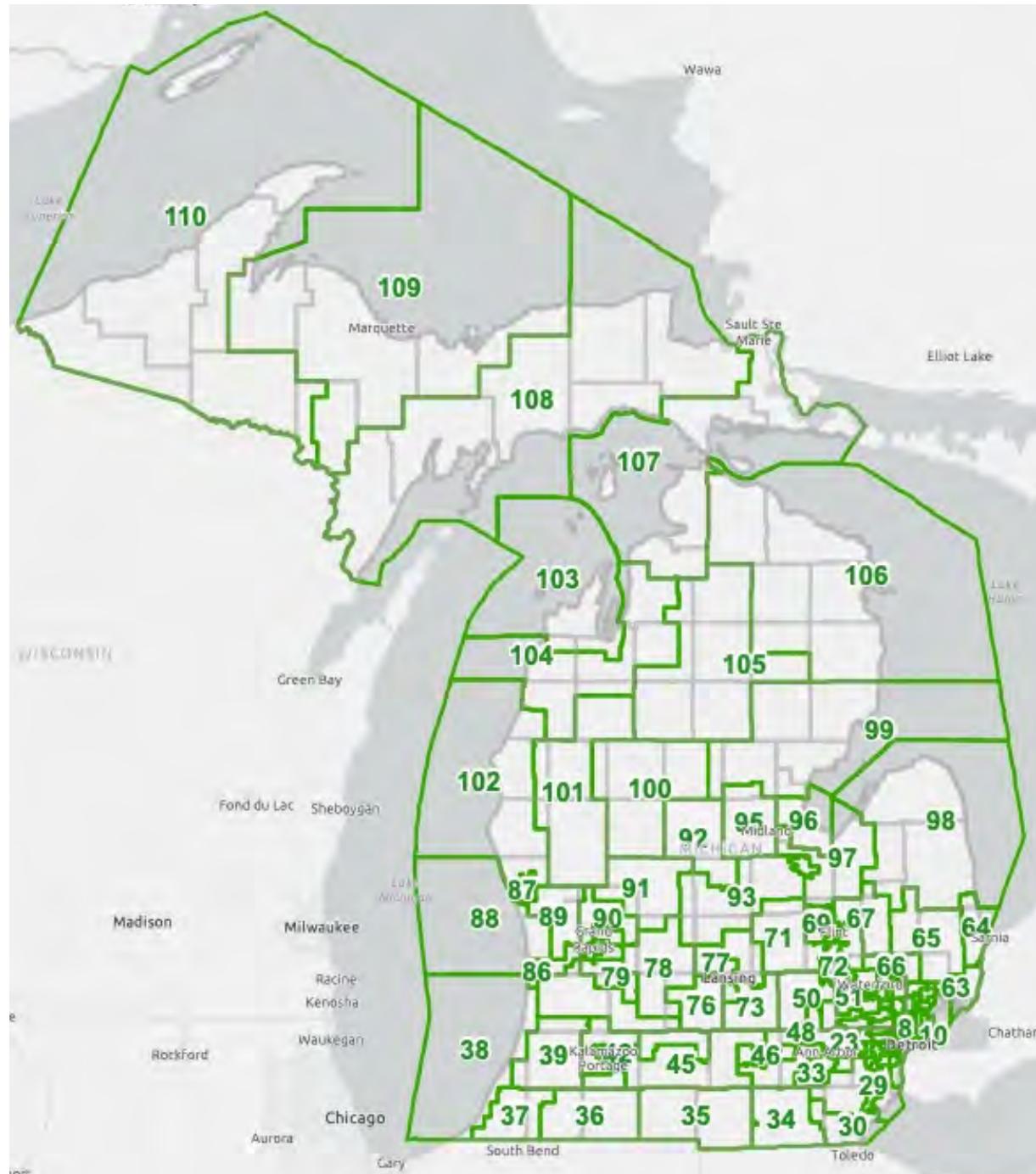
DISTRICT	Composite Score			
	Dem	Dem %	Rep	Rep %
1	851,070	74.4%	292,452	25.6%
2	755,866	74.2%	262,569	25.8%
3	946,197	80.8%	224,423	19.2%
4	828,426	55.9%	653,023	44.1%
5	851,926	60.5%	556,975	39.5%
6	1,016,114	68.4%	469,106	31.6%
7	1,132,528	73.0%	418,860	27.0%
8	1,251,274	76.1%	394,020	23.9%
9	705,117	47.6%	777,377	52.4%
10	914,105	68.5%	420,349	31.5%
11	770,214	53.9%	657,708	46.1%
12	802,043	49.1%	830,837	50.9%
13	938,950	53.6%	814,031	46.4%
14	860,212	55.1%	701,929	44.9%
15	1,087,019	70.8%	448,037	29.2%
16	605,886	41.9%	839,809	58.1%
17	503,371	38.4%	806,208	61.6%
18	577,925	40.3%	855,830	59.7%
19	857,354	56.6%	656,945	43.4%
20	580,817	41.0%	834,128	59.0%
21	873,298	58.3%	623,609	41.7%
22	632,830	38.5%	1,012,216	61.5%
23	678,270	41.9%	941,820	58.1%
24	591,273	36.7%	1,021,738	63.3%
25	570,630	38.9%	894,868	61.1%
26	694,054	44.6%	861,687	55.4%
27	948,759	66.1%	485,590	33.9%
28	822,315	55.5%	659,345	44.5%
29	742,769	58.4%	530,176	41.6%
30	705,493	46.3%	818,997	53.7%
31	532,144	34.5%	1,009,913	65.5%
32	717,007	50.2%	710,001	49.8%
33	494,983	36.2%	873,196	63.8%
34	569,367	41.5%	802,097	58.5%
35	832,714	53.1%	734,835	46.9%
36	618,130	37.9%	1,010,985	62.1%
37	736,347	43.2%	969,123	56.8%
38	691,811	45.7%	823,414	54.3%



## Michigan State House Districts

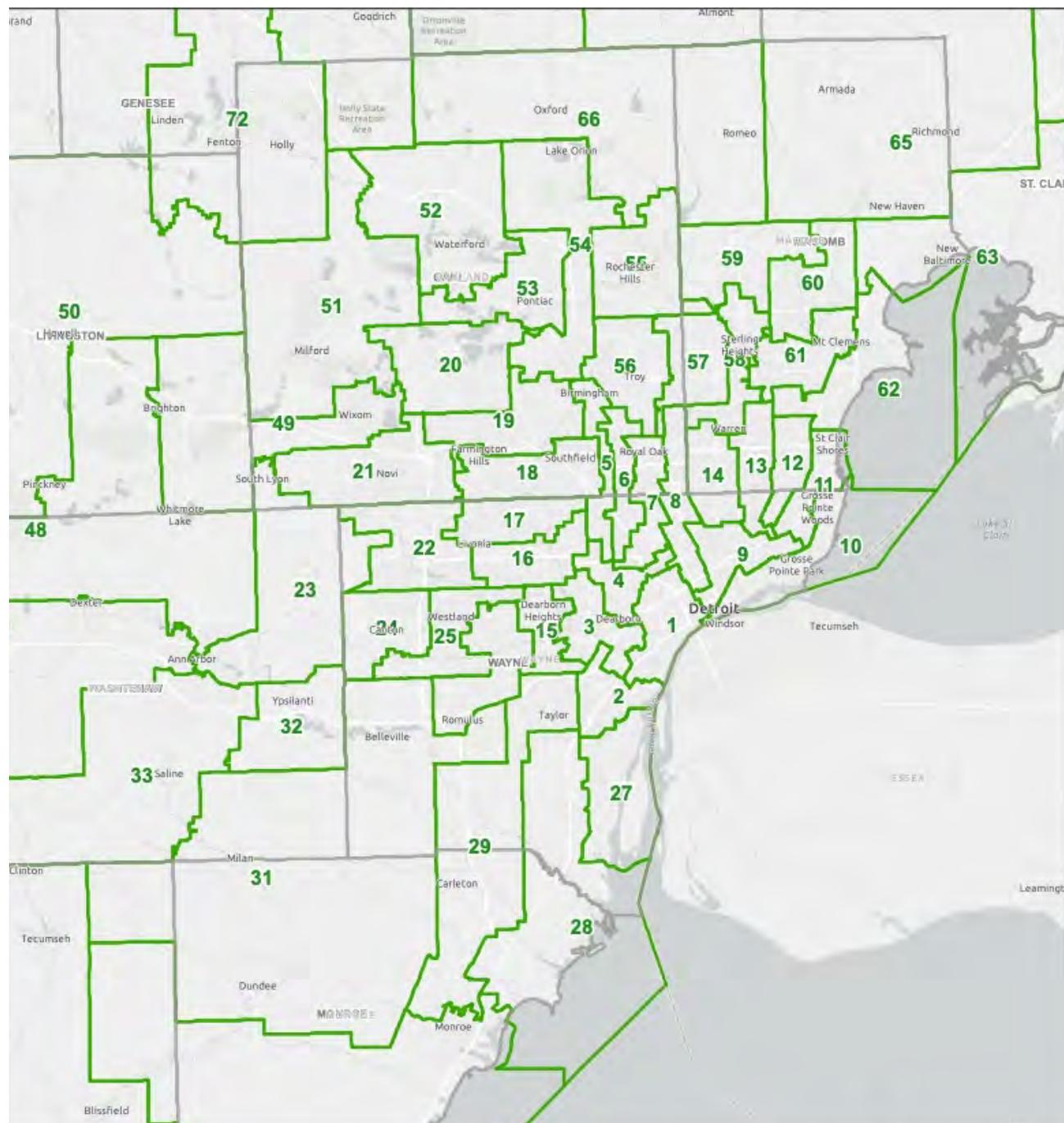
The Michigan Independent Citizen's Redistricting Commission approved the following map and district boundaries for the 110 state house districts.

### Legal Description & Interactive Map



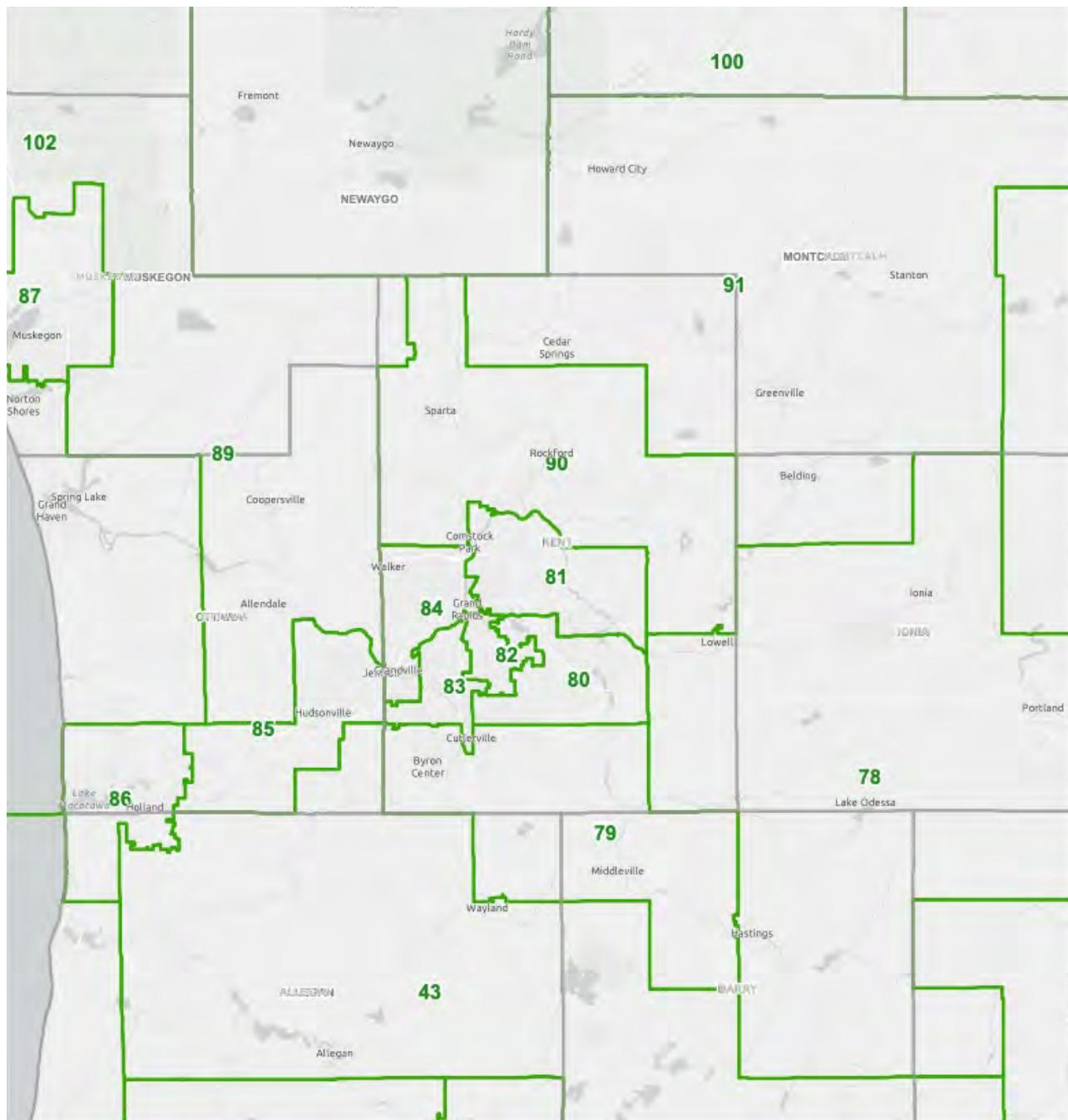


**METRO DETROIT**





## GREATER GRAND RAPIDS





## POPULATION

*"(a) Districts shall be of equal population as mandated by the United States constitution, and shall comply with the voting rights act and other federal laws."*

The Michigan Independent Citizens Redistricting Commission sought and relied on legal counsel and expert advice in order to draw plans that complied with the requirements of the United States constitution, the Voting Rights Act and other federal laws. Material reflecting that counsel and advice is accessible on the Commission's website.

[Meeting Notices & Materials](#)

[Meeting Notices & Materials Archives](#)

[Mapping Data](#)



## POPULATION

DISTRICT	Total Population			Racial Demographics as Percent of Total Population					Voting Age Population		Racial Demographics as Percent of Voting Population					
	All Person	Target	Dev.	Difference	NH White	NH Black	NH Asian	Hispanic	Minority	VAP	% of Total	NH White	NH Black	NH Asian	Hispanic	Minority
1	91,856	91,612	0.27%	244	16.79%	35.26%	0.33%	43.92%	83.21%	65,520	71.3%	18.67%	38.03%	0.38%	39.49%	81.33%
2	89,622	91,612	-2.17%	-1,990	63.27%	11.54%	1.13%	18.58%	36.73%	69,719	77.8%	67.61%	11.04%	1.21%	15.61%	32.39%
3	93,531	91,612	2.09%	1,919	51.18%	33.31%	2.34%	8.21%	48.82%	66,030	70.6%	52.34%	32.82%	2.77%	7.64%	47.66%
4	90,903	91,612	-0.77%	-709	41.08%	52.65%	0.47%	1.72%	58.92%	64,833	71.3%	38.61%	55.60%	0.50%	1.61%	61.39%
5	92,744	91,612	1.24%	1,132	36.68%	55.87%	1.53%	1.96%	63.32%	71,629	77.2%	38.11%	55.31%	1.55%	1.70%	61.89%
6	93,629	91,612	2.20%	2,017	36.10%	56.66%	1.15%	2.03%	63.90%	73,324	78.3%	38.54%	54.93%	1.31%	1.79%	61.46%
7	92,948	91,612	1.46%	1,336	44.28%	46.93%	1.51%	2.80%	55.72%	75,856	81.6%	47.68%	44.29%	1.71%	2.52%	52.32%
8	92,670	91,612	1.15%	1,058	41.68%	45.73%	4.16%	2.96%	58.32%	76,299	82.3%	44.50%	43.70%	4.57%	2.61%	55.50%
9	90,818	91,612	-0.87%	-794	28.46%	50.05%	15.19%	1.57%	71.54%	66,200	72.9%	28.03%	51.65%	14.68%	1.48%	71.97%
10	90,534	91,612	-1.18%	-1,078	53.11%	38.14%	2.08%	2.77%	46.89%	74,475	82.3%	53.31%	38.79%	2.32%	2.35%	46.69%
11	91,145	91,612	-0.51%	-467	46.16%	46.82%	0.80%	2.19%	53.84%	70,700	77.6%	51.18%	42.82%	0.93%	1.82%	48.82%
12	90,630	91,612	-1.07%	-982	45.97%	44.46%	1.33%	2.45%	54.03%	68,955	76.1%	51.03%	40.99%	1.28%	2.08%	48.97%
13	90,393	91,612	-1.33%	-1,219	47.56%	41.39%	4.11%	2.17%	52.44%	69,812	77.2%	52.03%	38.36%	3.91%	1.89%	47.97%
14	90,555	91,612	-1.15%	-1,057	38.99%	43.39%	10.11%	2.45%	61.01%	69,140	76.4%	43.17%	41.11%	9.31%	2.14%	56.83%
15	92,301	91,612	0.75%	689	80.88%	7.49%	1.72%	5.23%	19.12%	69,652	75.5%	82.15%	7.18%	1.87%	4.70%	17.85%
16	93,035	91,612	1.55%	1,423	34.88%	56.88%	0.94%	2.87%	65.12%	72,066	77.5%	38.03%	54.92%	1.02%	2.44%	61.97%
17	90,737	91,612	-0.96%	-875	45.56%	44.57%	1.80%	3.10%	54.44%	71,354	78.6%	48.90%	42.43%	1.94%	2.64%	51.10%
18	92,169	91,612	0.61%	557	36.50%	52.03%	4.21%	2.71%	63.50%	75,714	82.1%	37.44%	52.16%	4.12%	2.40%	62.56%
19	90,931	91,612	-0.74%	-681	60.63%	24.62%	7.86%	2.80%	39.37%	72,930	80.2%	61.39%	25.11%	8.00%	2.34%	38.61%
20	93,017	91,612	1.53%	1,405	75.60%	10.28%	7.26%	2.68%	24.40%	74,684	80.3%	76.81%	10.20%	7.42%	2.25%	23.19%
21	93,876	91,612	2.47%	2,264	57.07%	7.60%	27.76%	3.48%	42.93%	71,599	76.3%	59.96%	7.89%	26.00%	3.07%	40.04%
22	91,654	91,612	0.05%	42	85.05%	2.23%	5.67%	3.19%	14.95%	75,487	82.4%	86.64%	2.24%	5.33%	2.74%	13.36%
23	90,719	91,612	-0.97%	-893	70.61%	4.68%	14.87%	4.41%	29.39%	76,266	84.1%	71.65%	4.78%	14.75%	4.14%	28.35%
24	91,480	91,612	-0.14%	-132	61.18%	10.03%	20.19%	3.69%	38.82%	69,996	76.5%	63.53%	9.84%	19.60%	3.29%	36.47%
25	90,562	91,612	-1.15%	-1,050	64.13%	20.53%	4.87%	4.47%	35.87%	73,216	80.8%	66.72%	19.62%	4.96%	3.82%	33.28%
26	91,723	91,612	0.12%	111	50.52%	37.86%	1.05%	4.20%	49.48%	70,678	77.1%	54.11%	35.82%	1.14%	3.61%	45.89%
27	90,457	91,612	-1.26%	-1,155	84.33%	3.05%	1.18%	6.36%	15.67%	73,737	81.5%	86.29%	2.93%	1.21%	5.34%	13.71%
28	91,598	91,612	-0.02%	-14	74.98%	9.75%	3.36%	6.24%	25.02%	71,385	77.9%	77.44%	9.14%	3.23%	5.36%	22.56%
29	92,583	91,612	1.06%	971	72.48%	13.37%	1.38%	6.68%	27.52%	72,381	78.2%	76.05%	11.83%	1.40%	5.62%	23.95%
30	93,460	91,612	2.02%	1,848	87.42%	2.57%	0.64%	4.06%	12.58%	73,606	78.8%	89.60%	2.30%	0.67%	3.21%	10.40%
31	92,978	91,612	1.49%	1,366	72.74%	16.00%	1.27%	4.03%	27.26%	73,558	79.1%	74.55%	15.72%	1.28%	3.54%	25.45%
32	92,092	91,612	0.52%	480	53.20%	28.29%	3.69%	7.17%	46.80%	73,449	79.8%	57.13%	26.46%	3.89%	6.21%	42.87%
33	92,730	91,612	1.22%	1,118	68.50%	7.94%	11.52%	5.90%	31.50%	74,822	80.7%	70.65%	7.76%	11.65%	5.23%	29.35%
34	92,371	91,612	0.83%	759	83.11%	2.61%	0.48%	8.88%	16.89%	73,142	79.2%	85.26%	2.88%	0.49%	7.27%	14.74%
35	93,023	91,612	1.54%	1,411	89.55%	1.44%	0.48%	4.20%	10.45%	71,335	76.7%	90.73%	1.66%	0.49%	3.29%	9.27%
36	89,634	91,612	-2.16%	-1,978	84.12%	2.73%	0.69%	7.00%	15.88%	68,621	76.6%	86.65%	2.74%	0.72%	5.44%	13.35%
37	91,456	91,612	-0.17%	-156	78.38%	6.26%	1.89%	6.54%	21.62%	71,787	78.5%	81.10%	6.19%	2.00%	5.18%	18.90%
38	93,422	91,612	1.98%	1,810	67.57%	19.03%	1.75%	6.63%	32.43%	73,770	79.0%	72.12%	16.97%	1.68%	5.18%	27.88%
39	90,270	91,612	-1.46%	-1,342	81.17%	1.69%	0.44%	10.74%	18.83%	69,482	77.0%	84.59%	1.69%	0.45%	8.20%	15.41%
40	90,211	91,612	-1.53%	-1,401	77.97%	7.16%	4.56%	4.57%	22.03%	69,763	77.3%	80.75%	6.74%	4.45%	3.86%	19.25%



## POPULATION

DISTRICT	Total Population				Racial Demographics as Percent of Total Population					Voting Age Population		Racial Demographics as Percent of Voting Population				
	All Person	Target	Dev.	Difference	NH White	NH Black	NH Asian	Hispanic	Minority	VAP	% of Total	NH White	NH Black	NH Asian	Hispanic	Minority
41	91,872	91,612	0.28%✓	260	59.50%	21.99%	2.17%	8.66%	40.50%	72,876	79.3%	64.54%	19.61%	2.54%	7.40%	35.46%
42	91,192	91,612	-0.46%✓	-420	86.29%	3.44%	1.09%	3.41%	13.71%	70,454	77.3%	88.31%	3.13%	1.11%	2.69%	11.69%
43	92,518	91,612	0.99%✓	906	88.43%	0.80%	0.52%	5.52%	11.57%	70,016	75.7%	90.34%	0.65%	0.51%	4.58%	9.66%
44	89,974	91,612	-1.79%✓	-1,638	67.40%	15.11%	3.76%	6.67%	32.60%	68,782	76.4%	71.48%	14.34%	3.39%	5.53%	28.52%
45	90,612	91,612	-1.09%✓	-1,000	90.40%	1.29%	0.55%	3.08%	9.60%	71,054	78.4%	92.00%	1.14%	0.54%	2.48%	8.00%
46	91,041	91,612	-0.62%✓	-571	75.41%	12.23%	1.26%	4.62%	24.59%	71,551	78.6%	78.41%	12.17%	1.26%	3.54%	21.59%
47	91,302	91,612	-0.34%✓	-310	82.97%	3.10%	3.93%	4.17%	17.03%	73,378	80.4%	84.80%	3.07%	4.17%	3.43%	15.20%
48	92,373	91,612	0.83%✓	761	83.36%	1.79%	6.90%	3.00%	16.64%	74,656	80.8%	84.30%	1.79%	7.25%	2.56%	15.70%
49	93,247	91,612	1.78%✓	1,635	81.32%	5.78%	4.20%	4.03%	18.68%	74,267	79.6%	82.78%	5.82%	4.14%	3.38%	17.22%
50	93,139	91,612	1.67%✓	1,527	91.14%	0.44%	0.72%	3.01%	8.86%	72,160	77.5%	92.28%	0.44%	0.77%	2.54%	7.72%
51	91,507	91,612	-0.11%✓	-105	89.00%	1.30%	1.29%	3.41%	11.00%	72,488	79.2%	90.44%	1.25%	1.35%	2.70%	9.56%
52	91,098	91,612	-0.56%✓	-514	84.95%	2.75%	1.63%	5.77%	15.05%	72,818	79.9%	86.85%	2.66%	1.63%	4.81%	13.15%
53	93,056	91,612	1.58%✓	1,444	40.81%	33.94%	2.28%	17.60%	59.19%	71,476	76.8%	46.05%	32.59%	2.35%	14.72%	53.95%
54	92,949	91,612	1.46%✓	1,337	73.66%	6.77%	9.52%	5.16%	26.34%	73,853	79.5%	75.32%	6.95%	9.54%	4.33%	24.68%
55	91,805	91,612	0.21%✓	193	73.68%	3.41%	13.74%	4.69%	26.32%	71,848	78.3%	75.98%	3.51%	13.12%	3.98%	24.02%
56	90,410	91,612	-1.31%✓	-1,202	67.73%	3.39%	21.41%	3.38%	32.27%	71,737	79.3%	70.93%	3.44%	19.61%	2.94%	29.07%
57	89,693	91,612	-2.09%✓	-1,919	74.61%	5.19%	13.76%	2.60%	25.39%	71,864	80.1%	76.21%	4.89%	13.48%	2.27%	23.79%
58	90,454	91,612	-1.26%✓	-1,158	78.17%	8.23%	6.25%	2.72%	21.83%	73,423	81.2%	79.90%	7.86%	6.07%	2.41%	20.10%
59	89,336	91,612	-2.48%✓	-2,276	86.97%	2.68%	3.69%	2.91%	13.03%	70,271	78.7%	88.36%	2.58%	3.58%	2.50%	11.64%
60	92,742	91,612	1.23%✓	1,130	81.65%	7.23%	3.47%	3.23%	18.35%	72,453	78.1%	83.34%	7.08%	3.47%	2.69%	16.66%
61	93,156	91,612	1.69%✓	1,544	73.83%	15.25%	2.72%	3.08%	26.17%	75,006	80.5%	77.01%	13.83%	2.69%	2.52%	22.99%
62	90,539	91,612	-1.17%✓	-1,073	77.07%	13.35%	1.44%	2.83%	22.93%	74,114	81.9%	79.79%	12.07%	1.47%	2.35%	20.21%
63	90,638	91,612	-1.06%✓	-974	88.69%	3.12%	0.74%	2.65%	11.31%	72,589	80.1%	90.27%	2.86%	0.79%	2.13%	9.73%
64	91,060	91,612	-0.60%✓	-552	85.90%	3.78%	0.61%	4.08%	14.10%	71,638	78.7%	88.31%	3.56%	0.65%	3.30%	11.69%
65	92,892	91,612	1.40%✓	1,280	87.96%	2.29%	0.36%	5.03%	12.04%	73,184	78.8%	89.40%	2.39%	0.36%	4.12%	10.60%
66	93,014	91,612	1.53%✓	1,402	88.17%	1.18%	1.61%	4.41%	11.83%	71,767	77.2%	89.95%	1.10%	1.61%	3.59%	10.05%
67	92,816	91,612	1.31%✓	1,204	87.35%	3.28%	0.42%	3.56%	12.65%	73,721	79.4%	88.89%	3.28%	0.41%	2.70%	11.11%
68	93,065	91,612	1.59%✓	1,453	82.34%	6.24%	1.74%	4.12%	17.66%	73,273	78.7%	84.24%	6.00%	1.78%	3.37%	15.76%
69	91,698	91,612	0.09%✓	86	68.76%	21.07%	0.85%	3.62%	31.24%	71,476	77.9%	71.44%	19.84%	0.88%	3.15%	28.56%
70	90,738	91,612	-0.95%✓	-874	36.26%	51.87%	0.51%	4.87%	63.74%	68,117	75.1%	39.89%	50.13%	0.59%	4.37%	60.11%
71	91,966	91,612	0.39%✓	354	91.17%	0.69%	0.43%	3.06%	8.83%	72,963	79.3%	92.41%	0.64%	0.42%	2.51%	7.59%
72	92,844	91,612	1.34%✓	1,232	85.21%	4.89%	1.27%	3.55%	14.79%	72,890	78.5%	86.72%	4.79%	1.31%	2.88%	13.28%
73	91,543	91,612	-0.08%✓	-69	77.71%	5.83%	7.53%	4.34%	22.29%	75,397	82.4%	78.57%	6.50%	7.50%	3.80%	21.43%
74	90,782	91,612	-0.91%✓	-830	58.79%	18.25%	4.34%	11.02%	41.21%	70,233	77.4%	63.43%	17.05%	4.27%	9.39%	36.57%
75	93,554	91,612	2.12%✓	1,942	79.32%	4.35%	5.90%	5.12%	20.68%	75,207	80.4%	81.08%	4.26%	6.12%	4.27%	18.92%
76	92,354	91,612	0.81%✓	742	78.11%	7.92%	2.58%	6.26%	21.89%	73,043	79.1%	80.63%	7.67%	2.44%	5.18%	19.37%
77	92,594	91,612	1.07%✓	982	69.49%	11.08%	2.11%	10.61%	30.51%	72,106	77.9%	73.16%	10.25%	2.18%	9.15%	26.84%
78	92,264	91,612	0.71%✓	652	87.59%	3.62%	0.42%	4.31%	12.41%	71,687	77.7%	88.34%	4.48%	0.43%	3.47%	11.66%
79	90,952	91,612	-0.72%✓	-660	82.38%	4.41%	3.55%	5.05%	17.62%	67,213	73.9%	84.66%	4.13%	3.49%	4.15%	15.34%
80	92,350	91,612	0.81%✓	738	67.22%	12.08%	8.14%	7.64%	32.78%	69,344	75.1%	70.96%	11.28%	7.94%	6.32%	29.04%



## POPULATION

DISTRICT	Total Population				Racial Demographics as Percent of Total Population					Voting Age Population		Racial Demographics as Percent of Voting Population				
	All Persons	Target	Dev.	Difference	NH White	NH Black	NH Asian	Hispanic	Minority	VAP	% of Total	NH White	NH Black	NH Asian	Hispanic	Minority
81	91,516	91,612	-0.10%✓	-96	78.37%	7.75%	3.19%	5.49%	21.63%	71,975	78.6%	81.42%	7.03%	3.06%	4.63%	18.58%
82	91,219	91,612	-0.43%✓	-393	49.92%	26.76%	3.33%	14.62%	50.08%	70,814	77.6%	55.75%	24.58%	3.37%	12.03%	44.25%
83	91,341	91,612	-0.30%✓	-271	51.58%	9.19%	2.73%	31.56%	48.42%	67,461	73.9%	57.46%	8.69%	2.98%	26.96%	42.54%
84	91,890	91,612	0.30%✓	278	75.14%	6.21%	1.83%	11.25%	24.86%	73,379	79.9%	79.03%	5.36%	1.91%	9.31%	20.97%
85	90,127	91,612	-1.62%✓	-1,485	87.14%	1.21%	2.12%	5.70%	12.86%	66,158	73.4%	89.34%	1.11%	2.16%	4.64%	10.66%
86	90,575	91,612	-1.13%✓	-1,037	66.02%	2.62%	5.08%	22.19%	33.98%	70,221	77.5%	70.69%	2.33%	5.13%	18.69%	29.31%
87	91,376	91,612	-0.26%✓	-236	61.91%	24.21%	0.50%	6.83%	38.09%	70,829	77.5%	65.83%	22.94%	0.53%	5.55%	34.17%
88	90,900	91,612	-0.78%✓	-712	87.81%	1.47%	1.42%	4.62%	12.19%	71,051	78.2%	89.90%	1.37%	1.37%	3.68%	10.10%
89	93,134	91,612	1.66%✓	1,522	86.99%	1.96%	0.82%	5.55%	13.01%	71,969	77.3%	88.55%	2.04%	0.89%	4.58%	11.45%
90	91,549	91,612	-0.07%✓	-63	87.20%	1.60%	0.91%	5.69%	12.80%	68,467	74.8%	89.55%	1.47%	0.89%	4.50%	10.45%
91	91,350	91,612	-0.29%✓	-262	90.75%	0.53%	0.38%	3.79%	9.25%	70,036	76.7%	92.31%	0.44%	0.38%	3.02%	7.69%
92	92,520	91,612	0.99%✓	908	81.45%	4.58%	1.37%	5.84%	18.55%	73,959	79.9%	82.92%	5.11%	1.41%	4.77%	17.08%
93	89,410	91,612	-2.40%✓	-2,202	86.47%	3.80%	1.18%	5.25%	13.53%	72,182	80.7%	87.40%	4.20%	1.17%	4.50%	12.60%
94	90,438	91,612	-1.28%✓	-1,174	46.40%	33.75%	1.24%	13.25%	53.60%	69,020	76.3%	51.34%	31.92%	1.29%	11.32%	48.66%
95	91,439	91,612	-0.19%✓	-173	88.86%	1.05%	1.89%	3.11%	11.14%	71,873	78.6%	90.46%	1.01%	1.85%	2.48%	9.54%
96	90,544	91,612	-1.17%✓	-1,068	86.81%	1.69%	0.55%	6.14%	13.19%	72,724	80.3%	89.24%	1.54%	0.58%	4.84%	10.76%
97	93,159	91,612	1.69%✓	1,547	88.85%	2.28%	0.49%	4.03%	11.15%	73,355	78.7%	90.17%	2.33%	0.49%	3.30%	9.83%
98	92,049	91,612	0.48%✓	437	92.62%	0.32%	0.29%	3.35%	7.38%	72,801	79.1%	93.77%	0.31%	0.29%	2.76%	6.23%
99	89,375	91,612	-2.44%✓	-2,237	92.86%	0.38%	0.35%	2.09%	7.14%	72,792	81.4%	93.81%	0.34%	0.36%	1.64%	6.19%
100	91,751	91,612	0.15%✓	139	91.21%	1.17%	0.45%	2.19%	8.79%	72,641	79.2%	92.09%	1.15%	0.50%	1.89%	7.91%
101	92,604	91,612	1.08%✓	992	87.51%	1.49%	0.45%	5.48%	12.49%	72,534	78.3%	88.89%	1.50%	0.45%	4.81%	11.11%
102	91,886	91,612	0.30%✓	274	85.43%	1.22%	0.40%	7.30%	14.57%	72,924	79.4%	87.83%	1.25%	0.40%	5.68%	12.17%
103	93,426	91,612	1.98%✓	1,814	89.71%	0.53%	0.79%	3.36%	10.29%	76,458	81.8%	91.48%	0.46%	0.73%	2.69%	8.52%
104	89,466	91,612	-2.34%✓	-2,146	91.28%	0.35%	0.44%	2.58%	8.72%	71,871	80.3%	92.68%	0.30%	0.46%	1.96%	7.32%
105	89,541	91,612	-2.26%✓	-2,071	92.67%	0.32%	0.32%	2.12%	7.33%	72,736	81.2%	93.86%	0.28%	0.33%	1.56%	6.14%
106	90,875	91,612	-0.80%✓	-737	92.66%	0.27%	0.31%	1.34%	7.34%	75,466	83.0%	93.74%	0.22%	0.32%	1.05%	6.26%
107	92,701	91,612	1.19%✓	1,089	83.30%	1.24%	0.52%	1.77%	16.70%	75,875	81.8%	85.31%	1.39%	0.48%	1.42%	14.69%
108	89,366	91,612	-2.45%✓	-2,246	85.05%	2.21%	0.34%	1.69%	14.95%	72,443	81.1%	87.00%	2.62%	0.36%	1.25%	13.00%
109	89,410	91,612	-2.40%✓	-2,202	87.41%	2.21%	0.51%	1.84%	12.59%	73,187	81.9%	88.58%	2.58%	0.53%	1.63%	11.42%
110	90,788	91,612	-0.90%✓	-824	91.64%	0.48%	1.19%	1.70%	8.36%	74,036	81.5%	92.71%	0.46%	1.25%	1.41%	7.29%

Assigned 10077331  
 Total Pop 10077331  
 Unassigned 0



## PARTISAN FAIRNESS

(d) Districts shall not provide a disproportionate advantage to any political party. A disproportionate advantage to a political party shall be determined using accepted measures of partisan fairness.

The Michigan Independent Citizen's Redistricting Commission evaluated partisan fairness using four mathematical models. The adopted map did not provide 'disproportionate advantage' to any political party under any of the models used to measure partisan fairness.

### Lopsided Margins

Average Winning Margin	Dem	64.5%
	Rep	59.2%

Finding	
Rep	Districts have a lopsided margin advantage of 5.3%

DISTRICT	Party		Total Votes	Percent Votes		Party Wins	
	Dem	Rep		Dem	Rep	Dem	Rep
1	258,502	20,654	279,156	92.6%	7.4%	92.6%	
2	261,320	174,928	436,248	59.9%	40.1%	59.9%	
3	265,267	72,758	338,025	78.5%	21.5%	78.5%	
4	328,745	19,885	348,630	94.3%	5.7%	94.3%	
5	438,662	126,246	564,908	77.7%	22.3%	77.7%	
6	470,863	102,192	573,055	82.2%	17.8%	82.2%	
7	463,517	102,015	565,532	82.0%	18.0%	82.0%	
8	341,385	88,387	429,772	79.4%	20.6%	79.4%	
9	311,310	17,291	328,601	94.7%	5.3%	94.7%	
10	366,472	198,627	565,099	64.9%	35.1%	64.9%	
11	353,187	168,158	521,345	67.7%	32.3%	67.7%	
12	313,082	125,555	438,637	71.4%	28.6%	71.4%	
13	303,076	144,266	447,342	67.8%	32.2%	67.8%	
14	306,099	104,625	410,724	74.5%	25.5%	74.5%	
15	270,884	173,183	444,067	61.0%	39.0%	61.0%	
16	405,317	123,360	528,677	76.7%	23.3%	76.7%	
17	334,631	153,279	487,910	68.6%	31.4%	68.6%	
18	491,476	126,756	618,232	79.5%	20.5%	79.5%	
19	412,797	235,189	647,986	63.7%	36.3%	63.7%	
20	349,902	284,833	634,735	55.1%	44.9%	55.1%	
21	259,240	241,843	501,083	51.7%	48.3%	51.7%	
22	309,321	339,589	648,910	47.7%	52.3%		52.3%
23	291,695	187,546	479,241	60.9%	39.1%	60.9%	
24	305,861	223,265	529,126	57.8%	42.2%	57.8%	
25	275,148	168,470	443,618	62.0%	38.0%	62.0%	



## Lopsided Margins

DISTRICT	Party		Total Votes	Percent Votes		Party Wins	
	Dem	Rep		Dem	Rep	Dem	Rep
26	312,525	129,982	442,507	70.6%	29.4%	70.6%	
27	281,073	271,239	552,312	50.9%	49.1%	50.9%	
28	251,831	229,455	481,286	52.3%	47.7%	52.3%	
29	238,070	218,638	456,708	52.1%	47.9%	52.1%	
30	230,506	290,674	521,180	44.2%	55.8%		55.8%
31	275,393	235,646	511,039	53.9%	46.1%	53.9%	
32	360,998	108,735	469,733	76.9%	23.1%	76.9%	
33	420,621	167,901	588,522	71.5%	28.5%	71.5%	
34	214,429	277,077	491,506	43.6%	56.4%		56.4%
35	143,815	295,685	439,500	32.7%	67.3%		67.3%
36	153,719	264,662	418,381	36.7%	63.3%		63.3%
37	179,718	274,797	454,515	39.5%	60.5%		60.5%
38	285,580	266,034	551,614	51.8%	48.2%	51.8%	
39	189,211	264,591	453,802	41.7%	58.3%		58.3%
40	297,007	253,141	550,148	54.0%	46.0%	54.0%	
41	318,040	108,655	426,695	74.5%	25.5%	74.5%	
42	246,225	295,466	541,691	45.5%	54.5%		54.5%
43	160,976	348,109	509,085	31.6%	68.4%		68.4%
44	217,430	200,803	418,233	52.0%	48.0%	52.0%	
45	189,025	329,707	518,732	36.4%	63.6%		63.6%
46	215,370	200,283	415,653	51.8%	48.2%	51.8%	
47	382,546	238,809	621,355	61.6%	38.4%	61.6%	
48	312,504	306,850	619,354	50.5%	49.5%	50.5%	
49	239,660	309,345	549,005	43.7%	56.3%		56.3%
50	196,227	359,878	556,105	35.3%	64.7%		64.7%
51	229,955	363,093	593,048	38.8%	61.2%		61.2%
52	239,488	344,546	584,034	41.0%	59.0%		59.0%
53	287,443	121,241	408,684	70.3%	29.7%	70.3%	
54	267,126	309,291	576,417	46.3%	53.7%		53.7%
55	267,990	306,710	574,700	46.6%	53.4%		53.4%
56	291,476	264,875	556,351	52.4%	47.6%	52.4%	
57	215,912	228,973	444,885	48.5%	51.5%		51.5%
58	239,623	242,137	481,760	49.7%	50.3%		50.3%
59	201,755	333,786	535,541	37.7%	62.3%		62.3%
60	234,995	299,708	534,703	43.9%	56.1%		56.1%
61	271,563	250,509	522,072	52.0%	48.0%	52.0%	
62	273,649	273,005	546,654	50.1%	49.9%	50.1%	
63	214,269	325,099	539,368	39.7%	60.3%		60.3%
64	217,142	262,173	479,315	45.3%	54.7%		54.7%
65	183,403	351,999	535,402	34.3%	65.7%		65.7%



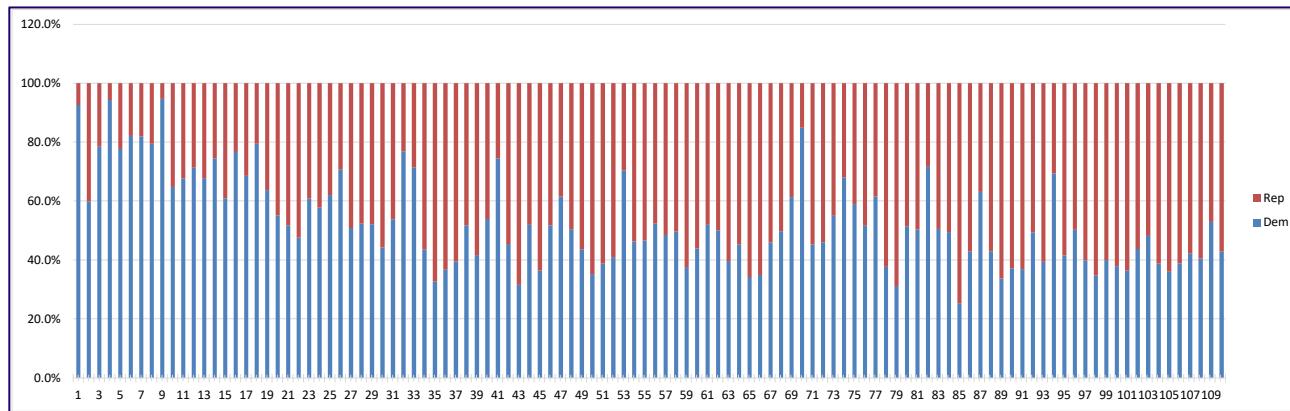
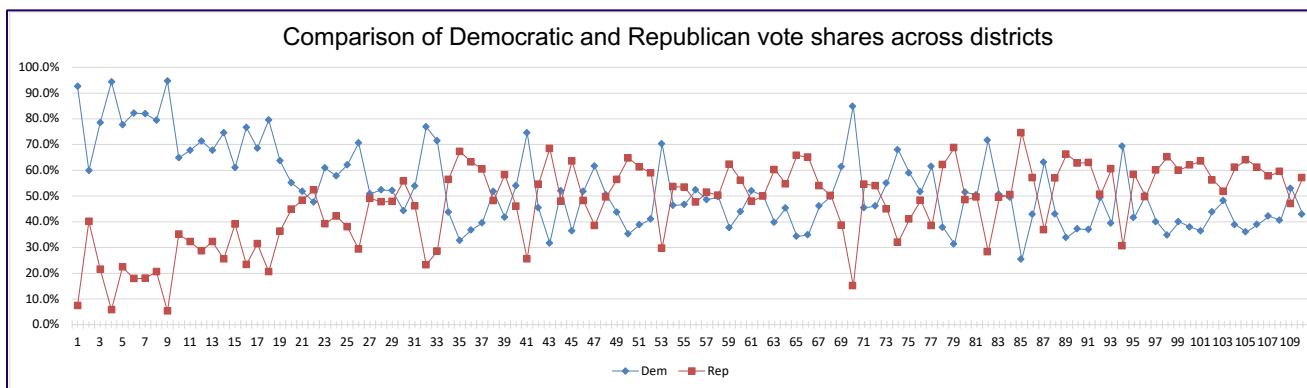
## Lopsided Margins

DISTRICT	Party		Total Votes	Percent Votes		Party Wins	
	Dem	Rep		Dem	Rep	Dem	Rep
66	202,864	377,939	580,803	34.9%	65.1%		65.1%
67	250,917	293,559	544,476	46.1%	53.9%		53.9%
68	276,355	278,227	554,582	49.8%	50.2%		50.2%
69	323,172	203,120	526,292	61.4%	38.6%	61.4%	
70	374,227	66,491	440,718	84.9%	15.1%	84.9%	
71	251,023	301,954	552,977	45.4%	54.6%		54.6%
72	260,583	305,018	565,601	46.1%	53.9%		53.9%
73	262,680	214,960	477,640	55.0%	45.0%	55.0%	
74	326,911	154,066	480,977	68.0%	32.0%	68.0%	
75	327,413	227,885	555,298	59.0%	41.0%	59.0%	
76	292,290	273,022	565,312	51.7%	48.3%	51.7%	
77	322,455	201,503	523,958	61.5%	38.5%	61.5%	
78	177,054	291,695	468,749	37.8%	62.2%		62.2%
79	160,508	353,131	513,639	31.2%	68.8%		68.8%
80	275,659	259,938	535,597	51.5%	48.5%	51.5%	
81	285,844	281,219	567,063	50.4%	49.6%	50.4%	
82	312,114	123,420	435,534	71.7%	28.3%	71.7%	
83	187,012	182,812	369,824	50.6%	49.4%	50.6%	
84	243,716	249,048	492,764	49.5%	50.5%		50.5%
85	138,039	405,083	543,122	25.4%	74.6%		74.6%
86	203,770	270,959	474,729	42.9%	57.1%		57.1%
87	268,142	156,618	424,760	63.1%	36.9%	63.1%	
88	245,387	325,594	570,981	43.0%	57.0%		57.0%
89	154,660	302,784	457,444	33.8%	66.2%		66.2%
90	207,162	349,053	556,215	37.2%	62.8%		62.8%
91	171,026	291,337	462,363	37.0%	63.0%		63.0%
92	203,368	208,285	411,653	49.4%	50.6%		50.6%
93	206,155	316,588	522,743	39.4%	60.6%		60.6%
94	336,647	148,685	485,332	69.4%	30.6%	69.4%	
95	227,166	319,003	546,169	41.6%	58.4%		58.4%
96	274,622	271,760	546,382	50.3%	49.7%	50.3%	
97	217,116	326,656	543,772	39.9%	60.1%		60.1%
98	180,381	338,681	519,062	34.8%	65.2%		65.2%
99	209,769	314,549	524,318	40.0%	60.0%		60.0%
100	182,482	298,484	480,966	37.9%	62.1%		62.1%
101	177,978	310,629	488,607	36.4%	63.6%		63.6%
102	230,242	295,320	525,562	43.8%	56.2%		56.2%
103	314,152	337,962	652,114	48.2%	51.8%		51.8%
104	218,901	344,830	563,731	38.8%	61.2%		61.2%
105	194,704	345,949	540,653	36.0%	64.0%		64.0%



## Lopsided Margins

DISTRICT	Party		Total Votes	Percent Votes		Party Wins	
	Dem	Rep		Dem	Rep	Dem	Rep
<b>106</b>	223,939	351,534	575,473	38.9%	61.1%		61.1%
<b>107</b>	246,137	337,553	583,690	42.2%	57.8%		57.8%
<b>108</b>	202,307	297,105	499,412	40.5%	59.5%		59.5%
<b>109</b>	275,060	244,621	519,681	52.9%	47.1%	52.9%	
<b>110</b>	220,366	293,600	513,966	42.9%	57.1%		57.1%





## Mean-Median Difference

District Median Percentage	Dem	50.3%
	Rep	49.7%
Statewide mean percentage	Dem	53.1%
	Rep	46.9%
Mean-Median Difference	Dem	2.7%
	Rep	-2.7%

Findings	
Rep	Districts have a mean-median advantage of <b>2.7%</b>

DISTRICT	Party		DISTRICT	Party		DISTRICT	Party		DISTRICT	Party	
	Dem	Rep									
1	92.6%	7.4%	31	53.9%	46.1%	61	52.0%	48.0%	91	37.0%	63.0%
2	59.9%	40.1%	32	76.9%	23.1%	62	50.1%	49.9%	92	49.4%	50.6%
3	78.5%	21.5%	33	71.5%	28.5%	63	39.7%	60.3%	93	39.4%	60.6%
4	94.3%	5.7%	34	43.6%	56.4%	64	45.3%	54.7%	94	69.4%	30.6%
5	77.7%	22.3%	35	32.7%	67.3%	65	34.3%	65.7%	95	41.6%	58.4%
6	82.2%	17.8%	36	36.7%	63.3%	66	34.9%	65.1%	96	50.3%	49.7%
7	82.0%	18.0%	37	39.5%	60.5%	67	46.1%	53.9%	97	39.9%	60.1%
8	79.4%	20.6%	38	51.8%	48.2%	68	49.8%	50.2%	98	34.8%	65.2%
9	94.7%	5.3%	39	41.7%	58.3%	69	61.4%	38.6%	99	40.0%	60.0%
10	64.9%	35.1%	40	54.0%	46.0%	70	84.9%	15.1%	100	37.9%	62.1%
11	67.7%	32.3%	41	74.5%	25.5%	71	45.4%	54.6%	101	36.4%	63.6%
12	71.4%	28.6%	42	45.5%	54.5%	72	46.1%	53.9%	102	43.8%	56.2%
13	67.8%	32.2%	43	31.6%	68.4%	73	55.0%	45.0%	103	48.2%	51.8%
14	74.5%	25.5%	44	52.0%	48.0%	74	68.0%	32.0%	104	38.8%	61.2%
15	61.0%	39.0%	45	36.4%	63.6%	75	59.0%	41.0%	105	36.0%	64.0%
16	76.7%	23.3%	46	51.8%	48.2%	76	51.7%	48.3%	106	38.9%	61.1%
17	68.6%	31.4%	47	61.6%	38.4%	77	61.5%	38.5%	107	42.2%	57.8%
18	79.5%	20.5%	48	50.5%	49.5%	78	37.8%	62.2%	108	40.5%	59.5%
19	63.7%	36.3%	49	43.7%	56.3%	79	31.2%	68.8%	109	52.9%	47.1%
20	55.1%	44.9%	51	38.8%	61.2%	80	51.5%	48.5%	110	42.9%	57.1%
21	51.7%	48.3%	52	41.0%	59.0%	81	50.4%	49.6%			
22	47.7%	52.3%	53	70.3%	29.7%	82	71.7%	28.3%			
23	60.9%	39.1%	54	46.3%	53.7%	83	50.6%	49.4%			
24	57.8%	42.2%	55	46.6%	53.4%	84	49.5%	50.5%			
25	62.0%	38.0%	56	52.4%	47.6%	85	25.4%	74.6%			
26	70.6%	29.4%	57	48.5%	51.5%	86	42.9%	57.1%			
27	50.9%	49.1%	58	49.7%	50.3%	87	63.1%	36.9%			
28	52.3%	47.7%	59	37.7%	62.3%	88	43.0%	57.0%			
29	52.1%	47.9%	60	43.9%	56.1%	89	33.8%	66.2%			
30	44.2%	55.8%				90	37.2%	62.8%			



## Efficiency Gap

Statewide % Wasted Votes	Total Wasted Votes		% Wasted Votes of Total Votes
	Dem	Rep	15,201,004 12,782,476
<b>Finding</b>			
Rep	Candidates have an efficiency gap advantage of <b>4.3%</b>		

DISTRICT	Party		Total Votes	Lost Votes		Minimum to win	Surplus Votes		Total Wasted Votes	
	Dem	Rep		Dem	Rep		Dem	Rep	Dem	Rep
1	258,502	20,654	279,156	0	20,654	139,578	118,924	0	118,924	20,654
2	261,320	174,928	436,248	0	174,928	218,124	43,196	0	43,196	174,928
3	265,267	72,758	338,025	0	72,758	169,013	96,255	0	96,255	72,758
4	328,745	19,885	348,630	0	19,885	174,315	154,430	0	154,430	19,885
5	438,662	126,246	564,908	0	126,246	282,454	156,208	0	156,208	126,246
6	470,863	102,192	573,055	0	102,192	286,528	184,336	0	184,336	102,192
7	463,517	102,015	565,532	0	102,015	282,766	180,751	0	180,751	102,015
8	341,385	88,387	429,772	0	88,387	214,886	126,499	0	126,499	88,387
9	311,310	17,291	328,601	0	17,291	164,301	147,010	0	147,010	17,291
10	366,472	198,627	565,099	0	198,627	282,550	83,923	0	83,923	198,627
11	353,187	168,158	521,345	0	168,158	260,673	92,515	0	92,515	168,158
12	313,082	125,555	438,637	0	125,555	219,319	93,764	0	93,764	125,555
13	303,076	144,266	447,342	0	144,266	223,671	79,405	0	79,405	144,266
14	306,099	104,625	410,724	0	104,625	205,362	100,737	0	100,737	104,625
15	270,884	173,183	444,067	0	173,183	222,034	48,851	0	48,851	173,183
16	405,317	123,360	528,677	0	123,360	264,339	140,979	0	140,979	123,360
17	334,631	153,279	487,910	0	153,279	243,955	90,676	0	90,676	153,279
18	491,476	126,756	618,232	0	126,756	309,116	182,360	0	182,360	126,756
19	412,797	235,189	647,986	0	235,189	323,993	88,804	0	88,804	235,189
20	349,902	284,833	634,735	0	284,833	317,368	32,535	0	32,535	284,833



### Efficiency Gap

DISTRICT	Party		Total Votes	Lost Votes		Minimum to win	Surplus Votes		Total Wasted Votes	
	Dem	Rep		Dem	Rep		Dem	Rep	Dem	Rep
21	259,240	241,843	501,083	0	241,843	250,542	8,699	0	8,699	241,843
22	309,321	339,589	648,910	309,321	0	324,455	0	15,134	309,321	15,134
23	291,695	187,546	479,241	0	187,546	239,621	52,075	0	52,075	187,546
24	305,861	223,265	529,126	0	223,265	264,563	41,298	0	41,298	223,265
25	275,148	168,470	443,618	0	168,470	221,809	53,339	0	53,339	168,470
26	312,525	129,982	442,507	0	129,982	221,254	91,272	0	91,272	129,982
27	281,073	271,239	552,312	0	271,239	276,156	4,917	0	4,917	271,239
28	251,831	229,455	481,286	0	229,455	240,643	11,188	0	11,188	229,455
29	238,070	218,638	456,708	0	218,638	228,354	9,716	0	9,716	218,638
30	230,506	290,674	521,180	230,506	0	260,590	0	30,084	230,506	30,084
31	275,393	235,646	511,039	0	235,646	255,520	19,874	0	19,874	235,646
32	360,998	108,735	469,733	0	108,735	234,867	126,132	0	126,132	108,735
33	420,621	167,901	588,522	0	167,901	294,261	126,360	0	126,360	167,901
34	214,429	277,077	491,506	214,429	0	245,753	0	31,324	214,429	31,324
35	143,815	295,685	439,500	143,815	0	219,750	0	75,935	143,815	75,935
36	153,719	264,662	418,381	153,719	0	209,191	0	55,472	153,719	55,472
37	179,718	274,797	454,515	179,718	0	227,258	0	47,540	179,718	47,540
38	285,580	266,034	551,614	0	266,034	275,807	9,773	0	9,773	266,034
39	189,211	264,591	453,802	189,211	0	226,901	0	37,690	189,211	37,690
40	297,007	253,141	550,148	0	253,141	275,074	21,933	0	21,933	253,141
41	318,040	108,655	426,695	0	108,655	213,348	104,693	0	104,693	108,655
42	246,225	295,466	541,691	246,225	0	270,846	0	24,621	246,225	24,621
43	160,976	348,109	509,085	160,976	0	254,543	0	93,567	160,976	93,567
44	217,430	200,803	418,233	0	200,803	209,117	8,314	0	8,314	200,803
45	189,025	329,707	518,732	189,025	0	259,366	0	70,341	189,025	70,341
46	215,370	200,283	415,653	0	200,283	207,827	7,544	0	7,544	200,283
47	382,546	238,809	621,355	0	238,809	310,678	71,869	0	71,869	238,809
48	312,504	306,850	619,354	0	306,850	309,677	2,827	0	2,827	306,850
49	239,660	309,345	549,005	239,660	0	274,503	0	34,843	239,660	34,843
50	196,227	359,878	556,105	196,227	0	278,053	0	81,826	196,227	81,826



### Efficiency Gap

DISTRICT	Party		Total Votes	Lost Votes		Minimum to win	Surplus Votes		Total Wasted Votes	
	Dem	Rep		Dem	Rep		Dem	Rep	Dem	Rep
51	229,955	363,093	593,048	229,955	0	296,524	0	66,569	229,955	66,569
52	239,488	344,546	584,034	239,488	0	292,017	0	52,529	239,488	52,529
53	287,443	121,241	408,684	0	121,241	204,342	83,101	0	83,101	121,241
54	267,126	309,291	576,417	267,126	0	288,209	0	21,083	267,126	21,083
55	267,990	306,710	574,700	267,990	0	287,350	0	19,360	267,990	19,360
56	291,476	264,875	556,351	0	264,875	278,176	13,301	0	13,301	264,875
57	215,912	228,973	444,885	215,912	0	222,443	0	6,531	215,912	6,531
58	239,623	242,137	481,760	239,623	0	240,880	0	1,257	239,623	1,257
59	201,755	333,786	535,541	201,755	0	267,771	0	66,016	201,755	66,016
60	234,995	299,708	534,703	234,995	0	267,352	0	32,357	234,995	32,357
61	271,563	250,509	522,072	0	250,509	261,036	10,527	0	10,527	250,509
62	273,649	273,005	546,654	0	273,005	273,327	322	0	322	273,005
63	214,269	325,099	539,368	214,269	0	269,684	0	55,415	214,269	55,415
64	217,142	262,173	479,315	217,142	0	239,658	0	22,516	217,142	22,516
65	183,403	351,999	535,402	183,403	0	267,701	0	84,298	183,403	84,298
66	202,864	377,939	580,803	202,864	0	290,402	0	87,538	202,864	87,538
67	250,917	293,559	544,476	250,917	0	272,238	0	21,321	250,917	21,321
68	276,355	278,227	554,582	276,355	0	277,291	0	936	276,355	936
69	323,172	203,120	526,292	0	203,120	263,146	60,026	0	60,026	203,120
70	374,227	66,491	440,718	0	66,491	220,359	153,868	0	153,868	66,491
71	251,023	301,954	552,977	251,023	0	276,489	0	25,466	251,023	25,466
72	260,583	305,018	565,601	260,583	0	282,801	0	22,218	260,583	22,218
73	262,680	214,960	477,640	0	214,960	238,820	23,860	0	23,860	214,960
74	326,911	154,066	480,977	0	154,066	240,489	86,423	0	86,423	154,066
75	327,413	227,885	555,298	0	227,885	277,649	49,764	0	49,764	227,885
76	292,290	273,022	565,312	0	273,022	282,656	9,634	0	9,634	273,022
77	322,455	201,503	523,958	0	201,503	261,979	60,476	0	60,476	201,503
78	177,054	291,695	468,749	177,054	0	234,375	0	57,321	177,054	57,321
79	160,508	353,131	513,639	160,508	0	256,820	0	96,312	160,508	96,312
80	275,659	259,938	535,597	0	259,938	267,799	7,861	0	7,861	259,938



## Efficiency Gap

DISTRICT	Party		Lost Votes		Minimum to win	Surplus Votes		Total Wasted Votes		
	Dem	Rep	Total Votes	Dem	Rep	Dem	Rep	Dem	Rep	
81	285,844	281,219	567,063	0	281,219	283,532	2,313	0	2,313	281,219
82	312,114	123,420	435,534	0	123,420	217,767	94,347	0	94,347	123,420
83	187,012	182,812	369,824	0	182,812	184,912	2,100	0	2,100	182,812
84	243,716	249,048	492,764	243,716	0	246,382	0	2,666	243,716	2,666
85	138,039	405,083	543,122	138,039	0	271,561	0	133,522	138,039	133,522
86	203,770	270,959	474,729	203,770	0	237,365	0	33,595	203,770	33,595
87	268,142	156,618	424,760	0	156,618	212,380	55,762	0	55,762	156,618
88	245,387	325,594	570,981	245,387	0	285,491	0	40,104	245,387	40,104
89	154,660	302,784	457,444	154,660	0	228,722	0	74,062	154,660	74,062
90	207,162	349,053	556,215	207,162	0	278,108	0	70,946	207,162	70,946
91	171,026	291,337	462,363	171,026	0	231,182	0	60,156	171,026	60,156
92	203,368	208,285	411,653	203,368	0	205,827	0	2,459	203,368	2,459
93	206,155	316,588	522,743	206,155	0	261,372	0	55,217	206,155	55,217
94	336,647	148,685	485,332	0	148,685	242,666	93,981	0	93,981	148,685
95	227,166	319,003	546,169	227,166	0	273,085	0	45,919	227,166	45,919
96	274,622	271,760	546,382	0	271,760	273,191	1,431	0	1,431	271,760
97	217,116	326,656	543,772	217,116	0	271,886	0	54,770	217,116	54,770
98	180,381	338,681	519,062	180,381	0	259,531	0	79,150	180,381	79,150
99	209,769	314,549	524,318	209,769	0	262,159	0	52,390	209,769	52,390
100	182,482	298,484	480,966	182,482	0	240,483	0	58,001	182,482	58,001
101	177,978	310,629	488,607	177,978	0	244,304	0	66,326	177,978	66,326
102	230,242	295,320	525,562	230,242	0	262,781	0	32,539	230,242	32,539
103	314,152	337,962	652,114	314,152	0	326,057	0	11,905	314,152	11,905
104	218,901	344,830	563,731	218,901	0	281,866	0	62,965	218,901	62,965
105	194,704	345,949	540,653	194,704	0	270,327	0	75,623	194,704	75,623
106	223,939	351,534	575,473	223,939	0	287,737	0	63,798	223,939	63,798
107	246,137	337,553	583,690	246,137	0	291,845	0	45,708	246,137	45,708
108	202,307	297,105	499,412	202,307	0	249,706	0	47,399	202,307	47,399
109	275,060	244,621	519,681	0	244,621	259,841	15,220	0	15,220	244,621
110	220,366	293,600	513,966	220,366	0	256,983	0	36,617	220,366	36,617



## Seats to Votes Ratio

	Vote Share	Count of Seats	Seat Share	Proportionality Bias
Dem	52.3%	57	51.8%	-0.5%
Rep	47.7%	53	48.2%	0.5%

DISTRICT	Composite Score			
	Dem	Dem %	Rep	Rep %
1	258,502	92.6%	20,654	7.4%
2	261,320	59.9%	174,928	40.1%
3	265,267	78.5%	72,758	21.5%
4	328,745	94.3%	19,885	5.7%
5	438,662	77.7%	126,246	22.3%
6	470,863	82.2%	102,192	17.8%
7	463,517	82.0%	102,015	18.0%
8	341,385	79.4%	88,387	20.6%
9	311,310	94.7%	17,291	5.3%
10	366,472	64.9%	198,627	35.1%
11	353,187	67.7%	168,158	32.3%
12	313,082	71.4%	125,555	28.6%
13	303,076	67.8%	144,266	32.2%
14	306,099	74.5%	104,625	25.5%
15	270,884	61.0%	173,183	39.0%
16	405,317	76.7%	123,360	23.3%
17	334,631	68.6%	153,279	31.4%
18	491,476	79.5%	126,756	20.5%
19	412,797	63.7%	235,189	36.3%
20	349,902	55.1%	284,833	44.9%
21	259,240	51.7%	241,843	48.3%
22	309,321	47.7%	339,589	52.3%
23	291,695	60.9%	187,546	39.1%
24	305,861	57.8%	223,265	42.2%
25	275,148	62.0%	168,470	38.0%
26	312,525	70.6%	129,982	29.4%
27	281,073	50.9%	271,239	49.1%
28	251,831	52.3%	229,455	47.7%
29	238,070	52.1%	218,638	47.9%
30	230,506	44.2%	290,674	55.8%
31	275,393	53.9%	235,646	46.1%
32	360,998	76.9%	108,735	23.1%
33	420,621	71.5%	167,901	28.5%
34	214,429	43.6%	277,077	56.4%
35	143,815	32.7%	295,685	67.3%
36	153,719	36.7%	264,662	63.3%
37	179,718	39.5%	274,797	60.5%
38	285,580	51.8%	266,034	48.2%
39	189,211	41.7%	264,591	58.3%
40	297,007	54.0%	253,141	46.0%



## Seats to Votes Ratio

DISTRICT	Composite Score				DISTRICT	Composite Score			
	Dem	Dem %	Rep	Rep %		Dem	Dem %	Rep	Rep %
41	318,040	74.5%	108,655	25.5%	81	285,844	50.4%	281,219	49.6%
42	246,225	45.5%	295,466	54.5%	82	312,114	71.7%	123,420	28.3%
43	160,976	31.6%	348,109	68.4%	83	187,012	50.6%	182,812	49.4%
44	217,430	52.0%	200,803	48.0%	84	243,716	49.5%	249,048	50.5%
45	189,025	36.4%	329,707	63.6%	85	138,039	25.4%	405,083	74.6%
46	215,370	51.8%	200,283	48.2%	86	203,770	42.9%	270,959	57.1%
47	382,546	61.6%	238,809	38.4%	87	268,142	63.1%	156,618	36.9%
48	312,504	50.5%	306,850	49.5%	88	245,387	43.0%	325,594	57.0%
49	239,660	43.7%	309,345	56.3%	89	154,660	33.8%	302,784	66.2%
50	196,227	35.3%	359,878	64.7%	90	207,162	37.2%	349,053	62.8%
51	229,955	38.8%	363,093	61.2%	91	171,026	37.0%	291,337	63.0%
52	239,488	41.0%	344,546	59.0%	92	203,368	49.4%	208,285	50.6%
53	287,443	70.3%	121,241	29.7%	93	206,155	39.4%	316,588	60.6%
54	267,126	46.3%	309,291	53.7%	94	336,647	69.4%	148,685	30.6%
55	267,990	46.6%	306,710	53.4%	95	227,166	41.6%	319,003	58.4%
56	291,476	52.4%	264,875	47.6%	96	274,622	50.3%	271,760	49.7%
57	215,912	48.5%	228,973	51.5%	97	217,116	39.9%	326,656	60.1%
58	239,623	49.7%	242,137	50.3%	98	180,381	34.8%	338,681	65.2%
59	201,755	37.7%	333,786	62.3%	99	209,769	40.0%	314,549	60.0%
60	234,995	43.9%	299,708	56.1%	100	182,482	37.9%	298,484	62.1%
61	271,563	52.0%	250,509	48.0%	101	177,978	36.4%	310,629	63.6%
62	273,649	50.1%	273,005	49.9%	102	230,242	43.8%	295,320	56.2%
63	214,269	39.7%	325,099	60.3%	103	314,152	48.2%	337,962	51.8%
64	217,142	45.3%	262,173	54.7%	104	218,901	38.8%	344,830	61.2%
65	183,403	34.3%	351,999	65.7%	105	194,704	36.0%	345,949	64.0%
66	202,864	34.9%	377,939	65.1%	106	223,939	38.9%	351,534	61.1%
67	250,917	46.1%	293,559	53.9%	107	246,137	42.2%	337,553	57.8%
68	276,355	49.8%	278,227	50.2%	108	202,307	40.5%	297,105	59.5%
69	323,172	61.4%	203,120	38.6%	109	275,060	52.9%	244,621	47.1%
70	374,227	84.9%	66,491	15.1%	110	220,366	42.9%	293,600	57.1%
71	251,023	45.4%	301,954	54.6%					
72	260,583	46.1%	305,018	53.9%					
73	262,680	55.0%	214,960	45.0%					
74	326,911	68.0%	154,066	32.0%					
75	327,413	59.0%	227,885	41.0%					
76	292,290	51.7%	273,022	48.3%					
77	322,455	61.5%	201,503	38.5%					
78	177,054	37.8%	291,695	62.2%					
79	160,508	31.2%	353,131	68.8%					
80	275,659	51.5%	259,938	48.5%					



**DISSENTING REPORT**  
**Submitted by Commissioner**  
**Rebecca Szetela**

**DISSENTING REPORT: 2021 CHESTNUT CONGRESSIONAL REDISTRICTING MAP****Authored by: Commissioner Rebecca Szetela***Chair: September 2021-March 2022**Vice-Chair: March 2021-September 2021***Summary**

The Michigan Independent Citizens Redistricting Commission adopted its final United States Congressional, Michigan State House, and Michigan State Senate maps on December 28, 2021. This approval was the culmination of over a year of challenging, and often intense, work, which was complicated both by the global COVID-19 pandemic and a four-month delay in release of data from the United States Census Bureau. For the first time in the State of Michigan, a group of randomly selected voters, in lieu of politicians, drew the U.S. Congressional, Michigan State House, and Michigan State Senate maps. These maps were drawn openly and with the ongoing participation, input, and observation of the public. Individual Commissioners, who were strangers to each other at the start of this process, bridged their partisan leanings and worked collaboratively, as a team, to compile maps. The Commission performed admirably under very challenging circumstances. There is much for the Commission to celebrate.

While celebrations are in order, all business processes, no matter how successful, should be subject to a frank evaluation process. There is always room for improvement. There are always insights to be gleaned and carried forward. Retrospective evaluations, where we look backward at what went right, what went wrong, and what can be improved, are (and should be) standard and expected. The redistricting process should be subject to no less scrutiny.

The intent of this Dissenting Report is to provide an honest and transparent account of areas where, due to a variety of intersecting factors, the Commission could have performed more faithfully to its Constitutional mandate in the creation, revision, and adoption of its U.S. Congressional, State House, and State Senate maps. This Report highlights deficiencies in adhering to several Constitutional criteria (Voting Rights Act Compliance, Respecting Communities of Interest, and Partisan Fairness) as well as an error in elevating a criterion that was not in the Constitution. This Report also notes that the Commission did not appropriately account for and consider the full body of public comment. As a

result, the Commission's process was not as data-driven, objective, or participatory as it should have been.

Because this Report is written with the intention toward improvements in the process, I have included many recommendations for future Commissions. For the reasons set forth below, I dissent to the adoption of Chestnut Congressional map by the Commission.

## Rationale

### OBJECTION 1 | CRITERIA #1 COMPLIANCE WITH FEDERAL LAW, INCLUDING THE VOTING RIGHTS ACT

*"Unfortunately we do not have sufficient information to anticipate what might happen in future Democratic primaries in the proposed districts. The reason is that we have only one statewide Democratic primary for which we can recompile results and minority voters were not cohesive in this primary. We simply do not know what would happen in a primary in which minority voters are cohesive."*

Ex. 1, Dr. Lisa Handley, December 27, 2021<sup>1</sup>

In my opinion, the Commission cannot say with any degree of confidence whether any of the Commission's approved maps (the US Congressional ("Chestnut"), State Senate ("Linden"), and State House ("Hickory")) will provide minorities, particularly Black voters in the metropolitan Detroit area, with an opportunity to elect their candidates of choice in **both** primary and general elections. This is a serious flaw in the Chestnut map. Thus, I dissent to its adoption.

### The Commission's Quantitative and Legal Analysis

In furtherance of its compliance with the Voting Rights Act ("VRA"), the Commission exclusively relied on quantitative analysis from Dr. Lisa Handley, legal analysis from its Voting Rights Expert (Bruce Adelson), and legal advice from its general counsel. The first step in this compliance process was a determination as to whether voting in Michigan was racially polarized. To determine this, Dr. Handley analyzed ten years' worth of general and primary election data from the State of Michigan. Ex. 2, Final Handley Report.<sup>2</sup> In conducting her analysis, Dr. Handley calculated that the majority of Michigan counties (95%, or 79 out of 83 counties) lacked sufficient Black voter populations to estimate voting behavior. Ex. 3, Sept. 2 Transcript, pp. 21-24. Thus, a racially polarized voting ("RPV") analysis could not

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<sup>1</sup> I would like to acknowledge the excellent analysis Dr. Lisa Handley performed for the Commission.

<sup>2</sup> For brevity, I have only attached portions of Exhibit 2 to this Dissent. The full report is available at: <https://www.michigan.gov/micrc/meeting-notices-and-materials> under the link titled "Racially Polarized Voting Analysis."

be performed in those counties. *Id.* However, Dr. Handley determined that four Michigan counties (Wayne, Oakland, Saginaw, and Genesee) contained sufficient Black voting-age populations to allow an RPV analysis to be conducted. *Id.* In each of those four counties where the RPV analysis was conducted, voting was racially polarized. Ex. 2, pg. 7; Ex. 3, pp. 21-24. Because voting was racially polarized, the Commission was required to structure districts that complied with the VRA in those counties. *Id.* Mr. Adelson correspondingly advised that the VRA did not require minority-majority districts (e.g., districts with greater than 50% Black voting age population); however, the Commission did need to create “opportunity to elect” districts. The Commission was advised by Mr. Adelson that an “opportunity to elect” district is one where the district contains the requisite number of minority voters needed to enable those voters an opportunity to elect their candidates of choice. Dr. Handley’s analysis was intended to determine the minimum percentage of Black voting-age population (“BVAP”) necessary to create opportunity to elect districts in the four racially polarized counties (Wayne, Oakland, Saginaw, and Genesee).

To estimate these percentages, Dr. Handley evaluated the degree to which white voters supported Black-preferred candidates (the “White Crossover Vote”) in the four counties. As noted by Dr. Handley, “if a relatively consistent percentage of white voters support Black-preferred candidates, candidates preferred by Black voters can be elected in districts that are less than majority Black.” Ex. 2, p. 19. The White Crossover Vote can also compensate for depressed Black voter turnout. Ex. 2, p. 19. Alternately, “if voting is starkly polarized, with few or no whites crossing over to vote for the candidates supported by Black voters,” a district “that is more than 50% Black VAP” may be needed to elect Black-preferred candidates. *Id.* Thus, Dr. Handley’s analysis included the voting patterns of Black and white voters as well as data regarding variations in turnout rates.

After completing her analysis, Dr. Handley provided the Commission with a report stating that, for **general elections**, Black voters could elect candidates of choice in Wayne County with a BVAP as low as 35%. Ex. 2; Ex. 4, pp 13-18. In Oakland County, once again for **general elections**, Black voters could elect candidates of choice with a BVAP as low as 40%. Ex. 2; Ex. 4. Dr. Handley also stated that no county required districts with a BVAP of 50% or more in the general election. *Id.*

However, general election results were not the only relevant inquiry. As noted in Dr. Handley’s writings on this topic, **both primary and general elections must be considered**. Ex. 5, *Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence*, B. Grofman, L. Handley, and D. Lublin, North Carolina Law Review, Volume 79, Number 5, Article 12 (6-1-2001) p. 1410-1411. Moreover, map drawers need to be **most** focused on the **highest** percentages required because that is

the percentage needed to win both elections (primary and general). *Id.* Accordingly, if 52% is the proper number to allow minority voters an opportunity to elect in a primary, but 43% is needed in a general election, the map drawer's work should be governed by the higher primary percentage (52%). *Id.*

Accordingly, Dr. Handley also analyzed primary data. Ex. 2, p. 24-26. There was a single Statewide Michigan Democratic<sup>3</sup> primary with results that could be recompiled and applied to any district reconfiguration that the Commission desired to test. *Id.* That election was the 2018 Gubernatorial primary, in which three candidates were running: Gretchen Whitmer, Abdul El-Sayed, and Shri Thanedar. In analyzing this election, Dr. Handley determined that Black voters were not "cohesive" – meaning they did not support a single, identifiable candidate. *Id.* This lack of cohesiveness made it impossible to extrapolate the data from that election in a manner that could predict the election results for future districts. *Id.* at 24. Disappointingly, the 2018 Gubernatorial primary could not be used to determine the proper BVAP levels needed for Black voters to elect their candidates of choice in the primary elections in the recompiled districts.

In the absence of Statewide primary data for analysis and recompilation, Dr. Handley analyzed other primary election data. Dr. Handley produced two charts entitled "Threshold of Representation" for both the State Senate and State House (the "Threshold Tables"). Ex. 2, p. 24-26. Dr. Handley described these Threshold Tables as being a "useful check on the percent needed to win estimates" found in the general election tables. Ex. 2, p. 24. The Threshold Tables were "designed to identify the lowest minority percentage above which minority candidates are consistently elected." Ex. 2, p. 24. For the State Senate, that threshold was 48%.<sup>4</sup> For the State House, the threshold identified was 36% (as described more fully in the footnote, it should have been between 47% and 52%).<sup>5</sup> A Threshold Table

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<sup>3</sup> Because Michigan's BVAP population tends to vote overwhelmingly Democratic, Democratic primaries were Dr. Handley's area of focus.

<sup>4</sup> Dr. Handley's analysis showed there were no State Senate districts with BVAP levels between 36% and 44% (the very "target range" the Commission later confined itself to in drawing its maps). Ex. 2; Ex. 3, pp. 18-19. Of the single district with 45% BVAP (District 1), the Black candidate of choice (Alberta Tinsley Talabi) did not survive the primary, even though she received approximately 48% (and the majority) of the Black vote. Ex. 2, p. 26, 65. In comparison, Stephanie Chang, an Asian woman, won the primary with 49.8% of the vote, having received over 75% of the votes cast by white voters. *Id. Thus, in a district with 45% BVAP, Black voters did not have the opportunity for their candidate of choice (Alberta Tinsley Talabi) to advance to the general election.* As expected, as the Democratic candidate in the general election, Ms. Chang easily won the general election for Senate District 1, obtaining 72% of the vote and an estimated 95%+ of the BVAP vote. Ex. 2, p. 54.

<sup>5</sup> Using the same methodology Dr. Handley used in the Senate table, the Threshold for the House also should have been 47% BVAP or more. Similar to the State Senate, there were no State House districts with BVAP levels between 37% and 46%. Ex. 2, p. 25-26; Ex. 3, pp. 18-19. Dr. Handley's State House Threshold Table identifies 36% as the number needed to elect minority candidates of choice. Ex. 2. However, her analysis overlooked the fact that

was not provided for Congressional elections.

To summarize Dr. Handley's analysis, for Wayne and Oakland Counties, the election analysis showed that Black voters had the opportunity to elect candidates of choice in the **general election** with BVAP numbers ranging between 35% and 40%. Ex. 4, pp. 13-16. However, the Threshold Tables, which reflected **primary results**, suggested higher amounts were likely necessary (48% in the State Senate and between 47% and 52% in the State House) for Black voters to have an opportunity to elect their candidates of choice in primaries.<sup>6</sup> Ex. 4, p. 18-19. Because VRA compliance requires the ability to elect candidates of choice **in both elections**, the Commission should have taken a conservative approach by using higher BVAP numbers (approximately 48%) when constructing districts in all maps. Ex. 5, pp. 1410-1411. This approach would have been the most protective of the voting rights of Black voters.<sup>7</sup>

### The Commission's Directions From Counsel

Armed with Dr. Handley's report and data, the Commission began drawing maps following this approach and drew districts in the Metropolitan Detroit area with BVAP percentages around 50%. After completing districts in most of the Metropolitan Detroit area, the Commission's counsel intervened and began aggressively pushing the Commission to reduce the BVAP numbers to as close to the general election percentages (35% to 40%) as possible. Ex. 6, Sept. 13 Email. This pressure was most evident at

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the minority candidate elected at the 36% threshold was not the candidate of choice for Black voters. Although all districts above 36% elected **minority** candidates, and in State House District 29 (BVAP 36.04%) a Black candidate was elected, this candidate **was not** the candidate of choice for Black voters. Ex. 2, p. 25, 67. The Black voters' candidate of choice (Kermit Williams) did not survive the primary, even though he received approximately 50% of the Black vote. *Id.* In comparison, Brenda Carter, a Black woman, won the primary with 30.7% of the vote, having received over 59% of the votes cast by white voters. *Id. Thus, in a district with 36% BVAP, Black voters were not able to have their candidate of choice (Kermit Williams) survive the primary to be considered at the general election.* Once again, as expected, the winner of the Democratic primary, Brenda Carter, easily won the general election for House District 29, obtaining 72.9% of the vote and an estimated 95%+ of the BVAP vote. Ex. 2, p. 58. By comparison, in the 6<sup>th</sup> House District (53% BVAP), the candidate of choice favored by Black voters (Tyrone Carter – with approximately 70% of BVAP vote) was able to prevail in the primary, even though white voters did not prefer that candidate. Ex. 2, p. 25, 68. Dr. Handley did not provide estimates for Black voters for District 4, where Abraham Aiyash was elected, because so many candidates ran for election in that primary that Dr. Handley could not ascertain the minority-preferred candidate. Thus, the Threshold of Representation for State House districts should have been somewhere between the BVAP of Mr. Aiyash's district (47% BVAP in the 4<sup>th</sup> district) and the 53% BVAP in Mr. Carter's district (the 6<sup>th</sup> district).

<sup>6</sup> The variation in the target BVAP percentages was attributable to primary and general election disparities in both the White Crossover Vote and voter turnout.

<sup>7</sup> If the Commission had exercised its discretion to use BVAP percentages higher than the general election values, and those numbers proved to be too high, Black voters' candidates of choice would still have a reasonable chance of election and a future Commission would have the ability, based on a decade of data, to adjust the numbers further downward. On the other hand, if the general election BVAP thresholds adhered to by the Commission are too low, Black voters may spend a decade being injured by not having an opportunity to elect candidates of choice. The Commission should have had a careful discussion balancing the risks and benefits of both approaches. In lieu of having that discussion, the Commission yielded that decision-making to its counsel.

the September 30, 2021, Commission meeting in Rochester Hills, where the Commission was expressly directed to identify “anything that is higher than 40% for the black voting age population” and “those quote unquote fixes can be dealt with.” Ex. 7, Sept. 30, 2021, AM Meeting Transcript, pg. 21; See Ex. 7, p. 22. Despite Dr. Handley’s analysis showing that the required BVAP for primary elections was likely higher than the required BVAP for general elections, the Commission acquiesced to its counsel and redrew each of its existing maps in the Metropolitan Detroit area based on the general election BVAP “targets” of 35% to 40%.

### **The Public Response**

Having witnessed the low percentages of BVAP that the Commission was being directed to achieve, Metropolitan Detroiters appeared in force to question whether the Commission’s maps would provide Black voters in Metropolitan Detroit with an opportunity to elect their candidates of choice in the primaries. *See Ex. 8<sup>8</sup>*, Detroit Hearing Transcript, Oct. 20, 2021. The Commission received hundreds of comments objecting to the low BVAP percentages in its draft maps. Ex. 8. Additionally, Jerome Reide, a legislative liaison from the Michigan Department of Civil Rights, and John E. Johnson, Jr., the Executive Director of the Michigan Department of Civil Rights, also both presented letters to the Commission indicting their belief that the Commission was violating the Voting Rights Act.

As voters testified, the Metropolitan Detroit area is solidly Democratic, with elections in Wayne County generally favoring Democrats by 20 percentage points or more. Ex. 8. Reliably, whoever wins the Democratic primary in Wayne County will win the general election. *Id.*, *see Ex. 2*. Thus, for Black voters to be able to elect their candidate of choice, that candidate of choice must be able to succeed in the Democratic primary. Ex. 8. The public asserted that general election results were neither reliable nor valid indicators of whether Black voters would be able to elect candidates of choice. *Id.* By ignoring the outsized role of the Democratic primaries in the Metropolitan Detroit area and focusing on the 35% and 40% range derived from general election data, the public stated that the Commission was poised to disenfranchise Black voters by denying them the opportunity to elect their candidates of choice. *Id.*

### **The Commission Declines to Correct Its Course**

Following several hearings and meetings, including the October 20 Detroit Public Hearing, some Commissioners began questioning the validity of its attorneys’ directives to draw districts using the

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<sup>8</sup> Due to its length, I have attached only a portion of the transcript from the October 20, 2021, public hearing in Detroit. The full transcript is available at: [https://www.michigan.gov/micrc/-/media/Project/Websites/MiCRC/Transcripts1/MICRC\\_Meeting\\_Transcript\\_10\\_20\\_2021.pdf?rev=a378536e31c446a494555afb9672b019&hash=0E0BEC4295A48C46AEB4689E2C0299D4](https://www.michigan.gov/micrc/-/media/Project/Websites/MiCRC/Transcripts1/MICRC_Meeting_Transcript_10_20_2021.pdf?rev=a378536e31c446a494555afb9672b019&hash=0E0BEC4295A48C46AEB4689E2C0299D4)

general election BVAP percentages supplied by Dr. Handley's report. The Commission's response to those concerns should have been to return to the expert who prepared the RPV analysis (Dr. Handley) to seek her opinion with respect to the concerns of the public. Instead, once again at the direction of counsel, the Commission held a closed session with its counsel (rather than Dr. Handley) to discuss the concerns of voters. Ex. 9, Oct. 20, 2021, Email. This meeting was merely a reiteration of the same legal advice that had resulted in the objections from Metropolitan Detroiters in the first instance. Closed Session Hearing, Oct. 27, 2021.<sup>9</sup> At this meeting, the concerns of Metropolitan Detroiters were cast as advocating "not to follow the law." *Id.* at 1:03:46. This messaging was repeated in email messages to Commissioners in advance of the meeting as well, where Commissioners were directed to disregard the comments as being "advanced by lobbyists and politicians driving emotion." Ex. 10, Oct. 18, 2021, Email. Commissioner comments during the closed-door meeting exemplify the adoption by some Commissioners of these recharacterizations of the concerns of voters. Closed Session Hearing, Oct. 27, 2021 (Commissioner at 1:01:50: "*I also reflected on the Detroit hearing...they were just wrong...their comments were not backed by anything other than their feelings*"; Commissioner at 39:13: "*I think...I hope we all recognize, at least I think, many of the many, many, many of the comments that we heard, while they were saying that it was a VRA issue, it's a partisan issue. They have an agenda. And we need to be able to spot that and weed that out and not fall for that.*"; Commissioner at 1:20:12: "*I just want to remind us all that...it was set up so that we hear from citizens, but, I think, at this point, we need to, kind of, shut out all the criticisms that are coming and all the pressure because these are all motivated.*"). In this echo chamber created by its counsel, Commissioners were dissuaded from making further adjustments to the maps. Acceding to these pressures, the Commission abandoned further inquiry into whether higher BVAP percentages were needed and, instead, deferred to the advice of counsel.

Although the Commission itself did not directly seek clarification from Dr. Handley, Dr. Handley attempted to alert the Commission of its impending error. Specifically, Dr. Handley warned Commission staff<sup>10</sup> on December 10, 2021, that the Commission's maps had BVAP levels too low to allow Black

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<sup>9</sup> The audio from this meeting is available at: <https://www.michigan.gov/micrc/additional-pages/MSC-163823-Materials> under the heading, "Closed Session Audio Recording, Oct. 27." A transcript of this hearing was not available at the time of the preparation of this Report.

<sup>10</sup> This information was not conveyed to the Commission by its general counsel and other staff members were directed by the general counsel not to share Dr. Handley's concerns with Commissioners. Uncomfortable with the general counsel's direction, staff members informed me of Dr. Handley's concerns and I relayed those concerns to several Commissioners on December 15, 2021. Ex. 11, December 15, 2021, Email. For clarification, I incorrectly stated in my December 15 email, based on my misunderstanding at the time, that Dr. Handley's analysis was flawed. The Commission's understanding of Dr. Handley's analysis was flawed, not the analysis itself.

voters the opportunity to elect their candidates of choice. Ex. 11, Email. Dr. Handley reaffirmed these concerns on December 27, 2021, noting that the Commission does not know if its maps will provide minority voters with an opportunity to elect candidates of choice in the Democratic primary:

*Unfortunately we do not have sufficient information to anticipate what might happen in future Democratic primaries in the proposed districts. The reason is that we have only one statewide Democratic primary for which we can recompile results and minority voters were not cohesive in this primary. We simply do not know what would happen in a primary in which minority voters are cohesive."*

*Ex. 1, Dr. Lisa Handley, December 27, 2021*

Despite vigorous public comment, evidence from its own expert indicating that higher BVAP percentages were needed, and plenty of time to act to change the maps, the Commission instead voted on December 28, 2021 to not allow adjustments to the maps.<sup>11</sup> Ex. 16, p. 85. The Commission had no data or evidence to suggest that Black voters will have an opportunity to elect candidates of choice in the Democratic primary with BVAP percentages of 35%, 40%, or even 45%. Ex. 2, Ex. 3. Undeterred, the Commission approved the Chestnut map, with BVAP populations of 43.81% (District 12) and 44.70% (District 13).

### **Conclusion**

In conclusion, given the concerning data derived from primary elections and warnings from both the public and the Commission's RPV expert, the Commission's approach to compliance with the VRA was anything but data-driven, evidence-based, or participatory. The Commission's approach was to follow a will-o'-the-wisp and rely on the hope that general election thresholds will magically translate into Black voters' candidates of choice advancing past the Democratic primaries. Because the Commission did not have evidence or data to establish that these BVAP levels are sufficient to allow Black voters to have an opportunity to elect their candidates of choice in both the primary and general elections for either its Congressional, State Senate, or State House maps, I dissent to the adoption of the Chestnut Congressional Map.

### **Recommendation for Future Commissions:**

1. In determining the requisite minority voting populations necessary for minority voters to have an opportunity to elect their candidates of choice, future Commissions should utilize the higher of the general election or primary election results to establish "target" BVAP ranges.

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<sup>11</sup> Commissioners Kellom, Curry, Lange, Wagner, and I voted against precluding changes to the maps (i.e., those Commissioners were in favor of changing the maps).

2. To ensure full and complete understanding of expert reports, all discussions of data and analysis regarding the requisite level of minority populations necessary to permit minority voters an opportunity to elect candidates of choice should require the attendance of the data scientist who conducted the analysis (in this case, Dr. Lisa Handley). Staff and other consultants should not be permitted to interpret the recommendations or conclusions of data scientists for the Commission.
3. Expert analysis of draft map compliance with the Voting Rights Act (and other metrics) should be received before maps may advance to the 45-day public comment period.
4. To the extent there is ambiguity or uncertainty regarding what BVAP levels are appropriate, Commissioners should openly and publicly discuss any concerns fully and vote on recommendations. The Commission should not rely on non-analyst determinations of the appropriate percentage levels.
5. The Commission, not staff or consultants, should evaluate the validity and import of public comments.

## **OBJECTION 2 | CRITERIA #3 COMMUNITIES OF INTEREST**

I dissent to the Chestnut map to the extent it fails to take into consideration and accommodate the following seven communities of interest that were identified as significant by the Commission and incorporated into other Congressional, State Senate, and State House Maps.

### **Community of Interest 1: Bengali Community of Interest**

The Bengali community identified Hamtramck and portions of Warren and Macomb County as being a community of interest that should be kept together. This community of interest was divided into two in the Chestnut Congressional map. The Chestnut map is the only final proposed Congressional map published by the Commission that divides this community of interest.

See comments p1511 (Mariam Akanan), p4107 (Nada Alhanooti, Hamtramck), f1514 (Tufayel Reza, Warren), f1516 (Iqbal Hossain, Hamtramck City), f1460 (Nurun Nesa, Warren), f1459 (Nazmin Begum, Warren); w1456 (Sumon Kobir, Warren Township), w1398 (Muzadded Abdullan, Warren City), p1037 (Rebeka Islam, Hamtramck), Map submitted via Portal Comment by Hayg Oshagan, 9/8/2021

### **Community of Interest 2: Jewish Community of Interest**

Eighty percent of the Metropolitan Detroit-area Jewish community resides in the “core” Oakland County communities of Berkley, Commerce Township, West Bloomfield, Bloomfield Hills, Birmingham, Franklin, Farmington, Farmington Hills, Royal Oak, Oak Park, Huntington Woods, Walled Lake, and

Southfield. Seven percent of Jewish households live in the Southfield area and 12% of the population of Southfield is Jewish. Franklin also contains a significant Jewish population. Despite requests to keep Southfield and Franklin with the remainder of the Jewish community in the “core” area, the Chestnut map isolates and separates Southfield and Franklin from the remainder of the Jewish community of interest. The Chestnut map is the only final proposed Congressional map published by the Commission that divides this community of interest.

See comments w746 (Todd Schafer, Beverly Hills); c1803 (Menachem Hojda, Oak Park); c5247 (Judah Karesh, West Bloomfield Township); w1000 (Charlotte Massey, Royal Oak)

#### **Community of Interest 3: Indigenous Population Community of Interest**

The Commission received many comments from members of Indigenous populations, who specifically identified their populations as communities of interest throughout the State. The Indigenous populations specifically identified the service areas for the Indian Health Services clinic run by the Nottawaseppi Huron Band of the Potawatomi and the American Indian Health & Family Services clinic in the Detroit area as communities of interest. In addition, Meredith Kennedy, the author of these comments and a representative for and member of the Indigenous populations, specifically identified the Birch map as being the map that best preserved these communities of interest. The Chestnut map does not preserve the community of interest of the Indigenous populations.

See comments p5531, p5527, and p5525

#### **Community of Interest 4: LQBTQ+ Community of Interest**

The Commission also received many comments from members and allies of the LQBTQ+ community, who identified their community of interest as encompassing the communities of Southfield, Oak Park, Pleasant Ridge, Huntington Woods, Ferndale, Hazel Park, and the Detroit neighborhood of Palmer Park. The Chestnut map divides this community of interest into three separate districts.

See comments w1924 (Oscar Renault, Oak Park), w5790 (Ivy Nicole), w5669 (Sarah, Ishpeming Township), w5473 (Troy, Detroit), w5471 (Kathy Randolph), f3493 (Michael Rowady), c777 (LGBT Detroit, Detroit), c819 (LGBT Detroit, Detroit), w1287 (Midge Cone, Ann Arbor), and w1306 (Sue Hadden, Ann Arbor).

#### **Community of Interest 5: Sikh Community of Interest**

The Sikh community of Troy and Rochester Hills also identified their community as a community

of interest and requested that the Troy and Rochester Hills Sikh community of interest stay together. The Chestnut map divides this community.

Ex. 8, p. 16; Ex. 16, p. 19.

**Community of Interest 6: Asian Pacific Islander and Chaldean Populations in Oakland/Macomb Counties Community of Interest**

Members of the Asian Pacific Islander and Chaldean communities in eastern Oakland County and western Macomb counties also identified themselves as a community of interest. The Chestnut map divides these populations in two by following the township boundary between the 10<sup>th</sup> and 11<sup>th</sup> districts for Oakland and Macomb County. Thus, the Chestnut map divides the Asian Pacific Islander and Chaldean community of interest.

See comments w8699 (Daniel G, Troy) and p7262 (Yousif, Troy).

**Community of Interest 7: Arab & Middle Eastern/North African Community of Interest**

Members of the Arab or Middle Eastern/North African (MENA) community in Wayne County also identified themselves as a community of interest. The Chestnut map divides these populations in two. Thus, the Chestnut map divides the Arab or Middle Eastern/North African (MENA) community of interest.

See comment c1510 (Mariam Akanan, Dearborn), with supporting comments from Jamie Kim (Dearborn) and Mariam Bazzi (Dearborn).

Although the Commission had the discretion to determine which communities of interest it would incorporate into its maps, it is striking that these seven communities of interest were specifically identified for inclusion in all other “collaborative” Commission maps yet excluded, without explanation, from the Chestnut map. The Commission did not assess whether these communities of interest could have been accommodated within the Chestnut map and did not explain why these communities of interest were abandoned by the Commission in the Chestnut map. Due to the unexplained failure to accommodate the seven above-referenced communities of interest, I dissent to the adoption of the Chestnut Congressional map.

**Recommendation for Future Commissions:**

1. Future Commissions should maintain records of communities of interest incorporated into various draft maps along with specific details as to why communities of interest were included in some maps but not others.
2. To the extent maps exclude communities of interest included in other maps, a full

accounting as to the rationale for that exclusion must be documented, along with a detailed explanation as to why the excluded community of interest could not be reasonably accommodated in the excluding map.

### **OBJECTION 3 | CRITERIA #4 PARTISAN FAIRNESS**

I dissent because each of the Commission’s Congressional, State Senate, and State House maps, including the Chestnut, could have achieved improved (i.e., closer to zero) partisan fairness metrics. Although the redistricting software licensed by the Commission, AutoBound Edge, contained a full complement of political and partisan data and tools, the Commission was directed by its general counsel that the Commission was precluded from considering election data and partisan fairness metrics when drawing its initial Statewide maps. Specifically, the Commission was advised by its general counsel that the Constitution “actually prohibits the Commission from considering the election results while they are mapping” and that the Commission was “legally prohibited from” considering election data in drawing maps. Ex. 7, Sept. 30, 2021, AM Transcript, pp. 66-67. As noted by members of the public, the Constitution contains no such restrictions. Ex. 12, Sept. 30, 2021, PM Transcript, p. 9.

To prevent Commissioners from viewing election data and partisan metrics during mapping, the Commission’s general counsel further directed the Commission’s mapping vendor, EDS, to disable and keep “hidden” the partisan fairness metrics, election data, and other political data and reporting features in AutoBound Edge. Ex. 13, Oct. 6 2021, Email. The Commission was unaware of this direction and did not consent to it. Handicapped by this lack of access, the Commission began drawing maps in August of 2021 without access to key functionality in the mapping software that it had paid for. These features were not re-enabled until after the completion of draft maps in October and required a software update. Ex. 14, October 3, 2021, Email from Kimball Brace (“*One of the things that staff and I need to discuss on Monday is how much of some of the additional reports do you want to unveil. Like this political fairness report there are a bunch of other data, tables and reports that are possible in EDGE, but we should talk about what do we want to release.*”)

The Commission’s lack of access to partisan fairness metrics until after maps were drawn resulted in rushed attempts to fix woefully non-compliant maps. Further, even after Commissioners were granted access to partisan fairness tools, Commissioners were repeatedly directed by the general counsel to “stop chasing zero” – meaning to cease trying to improve the partisan fairness metrics of the draft maps, even though improvements in such metrics were unquestionably achievable (and had been achieved by several Commissioners) without altering adherence to higher-ranked Constitutional

criteria.

Moreover, maps with improved partisan fairness metrics were hampered from public release by the Commission's counsel. For example, around September 30, 2021, a Commissioner produced what had been described by the general counsel as a "perfect" Congressional map. The general counsel described the map as having a "0%" efficiency gap and a "0%" mean-median measurement. The general counsel and other consultants decided that this Commissioner's map could not have been produced without improper outside influence. Thus, the general counsel accused the Commissioner of violating the Constitution and pressured the Commissioner to withhold the map from the public and his fellow Commissioners (*"Bruce and I remain steadfast in our recommendation to [REDACTED] that he not advance his map we discussed with him last week..."*). Ex. 15, October 4, 2021, Email. Because of this interference, the Commissioner did not present the map to the Commission or the public and, further, altered the map to increase the partisan fairness metrics, tilting the "perfect" map in favor of Republicans.<sup>12</sup> Ex. 15. This map – which deliberately inflated the partisan fairness metrics in favor of Republicans – was the predecessor to the Chestnut map. As a result of these pressures, the Chestnut map is a less-partisan-fair version of another map.

As evidenced by a Commissioner's supposedly "perfect" map and other maps,<sup>13</sup> the Commission could have produced Congressional, State Senate, and State House maps with better (meaning closer to zero) partisan fairness metrics, without compromising other Constitutional criteria. Because maps with better partisan fairness metrics were actually achieved yet hindered from public production, I dissent to the adoption of the Chestnut map.

#### **Recommendation for Future Commissions:**

1. Future Commissions should have access to all partisan fairness and political data and reporting functionality while drafting maps.
2. Commissioners, not staff or consultants, should make decisions regarding access to data, tools, and maps.

#### **OBJECTION 4 | INEQUITABLE ACCOUNTING AND TREATMENT OF PUBLIC COMMENTS AND INAPPROPRIATE ATTEMPTS TO INFLUENCE PUBLIC COMMENTS**

I dissent to the adoption of the Chestnut Congressional map because it was not the map

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<sup>12</sup> Ironically, the general counsel's failure to be forthright with the full Commission with respect to her concerns about this Commissioner's map may have enabled the adoption of a revised version of the very map that she objected to.

<sup>13</sup> Similarly, the Szetela House map was a more-partisan-fair version of the Hickory, without deleterious impacts on higher-ranked Constitutional criteria.

preferred by the public. The Birch map, not the Chestnut map, was the Congressional map that the majority of the public supported. Due to the Commission's lack of an organized accounting system to track public comments and failure to equally weigh all comments, some Commissioners erroneously concluded that the Chestnut map had the greatest public support. Since the Birch map actually had the greatest public support, this was in error.

The Commission was tasked with soliciting "wide" and "meaningful public participation" as part of its Constitutional obligations. Const. 1963, Art. IV., §6(10). Accordingly, the Commission diligently solicited public feedback, resulting in the Commission receiving nearly thirty thousand public comments throughout the redistricting process.<sup>14</sup> After the approval and advancement of final proposed maps to the 45-day public comment period on November 1, the Commission received comments via public meetings ("In-Person Comments"), via the online public comment portal ("Portal Comments"), and via comments placed directly on the maps themselves on the Mapping Page ("Mapping Comments").<sup>15</sup> Unfortunately, the Commission lacked a systematic method of tallying, recording, and reporting public comments.

Recognizing this deficiency on the part of the Commission, members of the public attempted to fill the gap. For example, a woman named Nicole Bedi tallied Mapping and Portal Comments and reported the tallies. Ex. 16, December 28, 2021, Transcript, p. 19. Specifically, Ms. Bedi reported that the Birch map received the greatest number of positive comments (with 67% of comments positive). Ex. 16, p. 19. As further noted by Ms. Bedi, only 55% of the Chestnut map's comments were positive. *Id.* With 67% of its 819 comments positive, the Birch map received 548 positive comments. In contrast, the Chestnut map (with only 55% of its 828 comments being positive) received only 455 positive comments. Ex. 16, p. 19. Thus, the Birch map had over 20% more favorable comments than the Chestnut map. Other members of the public conducted similar examinations of the public record and provided their reports to the Commission. Each of those reports indicated that the Birch map was the most preferred.

Rather than relying on these or other mathematical tabulations, the Commission's evaluation of public comments was haphazard and inconsistent. Some Commissioners did not routinely read Portal or Mapping Comments. Other Commissioners did not read a single Portal or Mapping Comment. Some

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<sup>14</sup> The Commission's 2022 Communication and Outreach Report is available at: <https://www.michigan.gov/micrc-/media/Project/Websites/MiCRC/MISC5/MICRC-CO-031022.pdf?rev=e1e5911a7d264fa997475f9270d6380a&hash=D6FB5458F97A8339A47E7FAAFE75AEAE>

<sup>15</sup> Portal Comments and Mapping Comments are available on the [www.michigan.gov/micrc](http://www.michigan.gov/micrc) website.

Commissioners weren't attentive to In-Person Comments. In contrast, at least one Commissioner seemed to value In-Person Comments more than Mapping or Portal Comments.<sup>16</sup> Ex. 16, p. 82-83, ¶15. Additionally, despite the fact that In-Person Comments in favor of the Birch were ubiquitous, some Commissioners appeared to inexplicably disregard those In-Person Comments. Ex. 16, p. 80-81, ¶1 and ¶13. Had the Commission created a recording and tracking system for public comments, many of these inconsistencies and discrepancies could have been avoided.

Lastly, at least one Commissioner attempted to sway public votes in favor of his preferred maps. Specifically, on December 20, 2021, prior to the Commission's final vote on the maps, a Commissioner individually met with two groups that had been particularly engaged during the redistricting process, ACCESS and APIAVote Michigan. It was the practice of the Commission that all public interactions be coordinated and publicly noticed through the Commission's staff and that Commissioners appear in groups. The rationale behind those practices was to prevent Commissioners from interactions with the public that could undermine the Commission's goals of transparency and openness. Disregarding those practices, the Commissioner individually arranged and attended this meeting. At the meeting, the Commissioner repeatedly suggested that the Chestnut map was the public's preferred map, informing both groups "you liked the Chestnut Congressional Map," and specifically advocating for both groups to submit "more comments like that."<sup>17</sup> To her credit, the representative from ACCESS corrected the Commissioner and stated that the Birch map was actually the map preferred by her group for the State of Michigan. Despite this Commissioner's efforts, the Chestnut map still received fewer favorable votes than the Birch map.

Using objective measures, in addition to receiving a greater number of favorable comments, the Birch, not the Chestnut, map had the greatest number of votes in favor of adopting the map between the dates the maps were published and the date the map was ultimately adopted. Between November 1, 2021, and December 28, 2021, **the Birch map received approximately 15% more votes in its favor of its adoption than the Chestnut map.**<sup>18</sup> Additionally, when considering votes in favor of the Birch prior to

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<sup>16</sup> One Commissioner mistakenly believed there were comments in favor of the Chestnut map at the "next five" public hearings, which were held between October 20 and October 26. Ex. 16, p. 82-83, ¶15. The Chestnut map was not created or named until November 1. Therefore, the Commission could not have received In-Person Comments in favor of the Chestnut map at October hearings/meetings because the Chestnut map did not exist at that time. This confusion illustrates the precise problem with relying upon memory rather than objective measures.

<sup>17</sup> This meeting was recorded and posted on APIAVote Michigan's Facebook page on December 27, 2021, but I was unaware of the existence of the video or its contents until after the Commission voted on the maps on December 28, 2021. As of the date of this Report, the video is available at: <https://www.facebook.com/apiavotemi/>.

<sup>18</sup> Although the Birch map received a great many comments urging its adoption before November 1, 2021, and

November 1, 2021, the Birch map was irrefutably the public's preferred map, with substantially greater public support than the Chestnut.

Source	Support Birch	Support Chestnut
Mapping Comments	294	204
Portal Comments	98	81
In-Person Comments <sup>19</sup>	50	101
Total <sup>20</sup>	<b>442</b>	386

The Chestnut map was not the public's preferred map by any measure.

The Commission was not obligated to adopt a particular map based solely on the weight of public opinion. However, because the Commission was required to solicit (and did solicit) public participation, the Commission should have accurately documented, analyzed, and given meaningful consideration the comments received from the public. It failed to do so. In part due to the failure to appropriately tally, measure, and account for public comments, the Commission failed to adopt the map preferred by the public and, instead, voted to approve a map the public did not prefer. For these reasons, I dissent to the adoption of the Chestnut map by the Commission.

**Recommendation for Future Commissions:**

1. Future Commissions should maintain a public, running tally of unique “votes” in favor of any maps published for the public’s consideration. This tally should include all unique votes received for a particular map during the duration of its publication to the public.
2. Multiple votes by the same individual should be counted as a single vote. The Commission should establish processes to prevent the same individuals from casting multiple votes.
3. In-person, written, and online comments should be weighted equally.
4. Vote tallies should quantify the percentage of positive and negative comments with respect

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those votes in favor are still relevant and important, I focused solely on the time period where both maps had been published for consideration. Considering votes before November 1, 2021, would have resulted in an even greater number of votes in favor of the Birch.

<sup>19</sup> In the November 1 through December 28 time frame, the Chestnut map received more support than the Birch map via In-Person Comments; however, the Birch map received significantly more support in writing via Portal and Mapping Comments. Commissioners who never or rarely read Portal and Mapping Comments incorrectly believed the Chestnut map had greater support, when, in fact, the Birch map was the public’s preferred Congressional Plan.

<sup>20</sup> I personally tallied the number of Portal, Mapping, and In-Person for the Birch and Chestnut maps to reach these results. In making these tallies, I only treated a comment as “in favor of adopting” of a map when the commentor specifically described one map as being superior to others using superlatives or other clear indicators of preference (e.g., “best map,” “fairest map,” “adopt this one,” etc.). I disregarded comments generally describing a map as “fair” or “balanced” as well as comments ranking two maps as equal (e.g., “either the Chestnut or Birch”). I also disregarded unfavorable comments. In addition, I only considered votes after the date the Chestnut was created (November 1, 2021).

to a particular map.

5. Commissioners should not meet individually with groups or individuals to discuss redistricting matters.
6. Commissioners should not be permitted to “steer” or direct public opinion toward particular maps. In interactions with the public and press, Commissioners should remain neutral with respect to their preferred maps until the date of deliberations.
7. To enable the seamless incorporation of public mapping proposals, the Commission should verify that mapping tools used by the public to submit maps are compatible with mapping software used by the Commission.
8. To the extent a future Commission elects to adopt a map in spite of the weight of public comment with respect to that map, the Commission should provide, at a minimum, a rationale for its decision.

#### **OBJECTION 5 | IMPROPER CONSIDERATION OF COMPETITIVENESS**

In addition to receiving fewer positive public comments and fewer favorable public votes than other maps, a significant percentage of positive comments favoring the Chestnut map did so due to the supposed “competitiveness” of the map. Competitiveness is not among the Commission’s seven ranked Constitutional criteria. Further, the Commission was repeatedly advised that it could not consider competitiveness as a factor (*“I have consistently stated that competitiveness is not a constitutional criteria in Michigan. Attempting to add this consideration as a criteria [sic] creates a significant legal problem and leaves the MICRC wide open to a court challenge. First, there is no legal basis for including competitiveness in the criteria that the MICRC is constitutionally mandated to follow. This would likely be viewed as arbitrary and capricious by a court, particularly after receiving legal advice against inserting competitiveness.”*) Ex. 17, Sept. 20, 2021, Email.

Although the Constitution does not list competitiveness as a factor, the Constitution does not prevent the Commission from considering other factors *after* verifying compliance with the seven ranked Constitutional criteria. However, several Commissioners stated during deliberations that they primarily favored the Chestnut due to its “competitiveness,” above consideration with respect to how the Congressional maps compared with respect to the seven ranked Constitutional criteria. Ex. 16, p. 77, p. 80 (¶1-2), and p. 81 (¶3). In so doing, the Commission elevated a non-Constitutional criterion above the seven ranked Constitutional criteria. Thus, I dissent to the adoption of the Chestnut map to the extent the Commission improperly considered “competitiveness” as a primary factor in adopting

the map.

**Recommendation for Future Commissions:**

1. Future Commissions should not consider non-ranked criteria above Constitutionally ranked criteria.
2. Future Commissions should evaluate how to treat comments promoting criteria not specified by the Constitution.
3. If future Commissions desire to consider non-Constitutional criteria, such consideration should only occur after an evaluation and ranking of potential plans compliance with non-Constitutional criteria.

**OBJECTION 6 | FAILURE TO ENGAGE IN OPEN AND TRANSPARENT DELIBERATIONS**

Lastly, I dissent to the adoption of the Chestnut map because the Commission failed to deliberate on the maps comprehensively, openly, transparently, and objectively. The Commission deliberated for a mere 20 to 25 minutes before commencing voting on the Chestnut map. Deliberations on the Linden and Hickory maps were similarly brief. The Commission did not evaluate, compare, or contrast plans for their compliance with each of the Constitutional criteria in any systematic or comprehensive manner. Additionally, no attempts were made to rank plans based on objective measures. This lack of meaningful analysis and discussion of which maps best conformed to the Constitutional and other criteria did not fulfill the Commission's mission of an open, transparent, objective, and data-driven process. Thus, I dissent to the adoption of the Chestnut Congressional map.

**Recommendation for Future Commissions:**

1. Future Commissions should schedule several open meetings to deliberate over proposed plans.
2. Evaluations of compliance with each Constitutional criteria should be conducted well in advance of final deliberations and voting.
3. Proposed maps should be compared, contrasted, scored, and ranked in accordance with their compliance with the Constitutional criteria.

**Conclusion**

In summary, I dissent to the adoption of the Chestnut map with respect to its compliance with Constitutional Criteria 1 (Voting Rights Act Compliance), 3 (Communities of Interest), and 4 (Partisan Fairness). I also dissent to the adoption of the Chestnut map because the Commission improperly weighed considerations of competitiveness in adopting the map. Additionally, I dissent to the adoption of the Chestnut map because the Commission neglected to consider and equally weigh all public

comment received in a support of the various Congressional maps and, as a consequence, adopted a map not preferred by the public. Finally, I dissent due to the lack of open, transparent, and data-driven deliberations regarding the maps.

Respectfully submitted,



Rebecca Szetela

Dated: June 24, 2022

75  
Exhibit 1

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**From:** lrhandley@aol.com  
**Sent:** Monday, December 27, 2021 9:25 PM  
**To:** Szetela, Rebecca (MICRC)  
**Cc:** Rothhorn, MC (MICRC); Pastula, Julianne (MICRC); badelson1@comcast.net  
**Subject:** Re: MICRC Questions

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov**

Dear Rebecca,

Both the threshold tables on 26 and 27 and the recompiled election results for Dillard are important tools for estimating whether minority candidates of choice can win in the proposed districts. The two approaches, at least in this instance, do not contradict one another with regard to the general election – the minority preferred candidate wins all of the general election above 35% in the state senate threshold table as well as the state house threshold table. It is the Democratic primary that is the stumbling block in the senate threshold table (I am referring to State Senate District 1 and the fact that the winner was not the candidate of choice of Black voters in the primary – she was, however, the minority candidate of choice in the general).

Unfortunately we do not have sufficient information to anticipate what might happen in future Democratic primaries in the proposed districts. The reason is that we have only one statewide Democratic primary for which we can recompile results and minority voters were not cohesive in this primary. We simply do not know what would happen in a primary in which minority voters are cohesive.

(The reason that recompiled election results are especially important is that they take into account the voting patterns of the actual voters that will reside in the newly proposed district.)

Best wishes,  
Lisa

Dr. Lisa Handley

—Original Message—

From: Szetela, Rebecca (MICRC) <SzetaR@michigan.gov>  
To: SA HANDLEY <lrhandley@aol.com>  
Cc: Rothhorn, MC (MICRC) <RothhornM@michigan.gov>  
Sent: Mon, Dec 27, 2021 2:24 pm  
Subject: MICRC Questions

Good afternoon, Dr. Handley! I have some follow up question on your report to the MICRC. I understand you will be unavailable tomorrow, so Sue suggested I email a list of questions to you.

I am trying to reconcile the information contained on pages 26 and 27. My understanding is that the table on page 26 was intended to test the "breakpoint" between districts that are electing candidates of choice versus those that are not. Table 10 on page 26 indicates that for the Michigan State Senate, districts with BVAP of 47% or lower are not able to elect

candidates of choice. This is concerning since none of our currently proposed Senate maps (Palm, Cherry, Linden) exceed 45% BVAP. Based on this table alone, I read your report to suggest that our Senate maps need to be above 48% to create opportunity to elect districts and that revisions may be necessary.

However, when I read the text on the next page (re: bellweather elections, particularly the 2014 SOS race with Godfrey Dillard), I draw a different conclusion.

I wondered how our districts are performing looking at that election. To test the maps, I ran the Linden and Cherry election results for the Dillard election. I also edited the Linden to increase the BVAP to 45% and Linden/Cherry maps to increase the BVAP to 48% for comparison purposes. Comparing the election results for the 2014 SOS election, Dillard would have won handily in all five districts, regardless of whether the BVAP was as low as 35% or as high as 50%.

#### Senate Maps - BVAP Percentages

District No.	Linden Plan		Revised Linden 45%		Revised Linden/Cherry 48%	
	BVAP	Dillard Election	BVAP	Dillard Election	BVAP	Dillard Election
1	35.03%	71.74%	45.23%	79.97%	50.95%	84.53%
3	42.09%	76.23%	45.39%	78.54%	48.24%	80.45%
7	44.78%	63.19%	46.59%	64.89%	50.70%	66.74%
8	40.25%	65.15%	45.20%	68.40%	49.65%	70.81%
10	40.43%	62.57%	45.98%	66.49%	48.15%	68.25%

This reassures me that maybe our Senate maps are OK with their percentages as they stand? Or am I misunderstanding your analysis? If you could clarify I would appreciate it.

On a related note, I do think that part of the variation in results in current District 1 on Table 10 relates to the combination of communities. In the current district 1, you have very little of Detroit plus Harper Woods combined with Grosse Pointe Woods and Grosse Pointe Shores, which are both wealthy and white with high voter turnout. I suspect part of the variation in District 1 may relate to variations in voter turnout between the wealthier Grosse Pointes vs. the considerably less well-heeled Detroit and Harper Wood. I would expect the Grosse Pointes preferred candidate to be elected given the makeup of that district (which is part of the reason why we drew that district differently in our Senate maps).

Thank you so much for any clarification.

Rebecca Szetela

Commissioner

Michigan Independent Citizens Redistricting Commission

[szetelar@michigan.gov](mailto:szetelar@michigan.gov)

(517) 898-9366



## Exhibit 2

### **Report to the Michigan Independent Citizens Redistricting Commission**

**Dr. Lisa Handley**

#### **Preface**

This report outlines the analyses I conducted on behalf of the Michigan Independent Citizens Redistricting Commission (MICRC) and relays my findings. I also briefly explain the partisan fairness measures I advised the MICRC to adopt as a component of the redistricting software and why I made these recommendations. The legal implications of my findings and the assessment of any proposed plans have been left to the MICRC legal team.

#### **I. The Voting Rights Act and Racially Polarized Voting**

The Voting Rights Act of 1965 prohibits any voting standard, practice or procedure – including redistricting plans – that result in the denial or dilution of minority voting strength. Section 2 of the Voting Rights Act was amended in 1982 to establish that intentional discrimination need not be proven (as the Supreme Court determined was required under the 15<sup>th</sup> Amendment to the Constitution). The U.S. Supreme Court first interpreted the amended Act in *Thornburg v. Gingles*,<sup>1</sup> a challenge to the 1982 North Carolina state legislative plans. In this case the U.S. Supreme Court held that plaintiffs must satisfy three preconditions to qualify for relief:

- The minority group must be sufficiently large and geographically compact to form a majority in a single-member district
- The minority group must be politically cohesive
- Whites must vote as a bloc to usually defeat the minority-preferred candidates

What do we mean when we say minority voters must be politically cohesive? And how do we know if white voters usually vote as a bloc to defeat the candidates preferred by minority voters? According to the Court, racially polarized voting is the “evidentiary linchpin” of a vote dilution claim. Voting is racially polarized if minorities and whites consistently vote for different candidates. More specifically, if minorities consistently support the same candidates, they are said to be politically cohesive. If whites are consistently *not* supporting these candidates, they are said to be bloc voting against the minority-preferred candidates.

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<sup>1</sup> 478 U.S. 30 (1986).

**Table 1: Number of Statewide Elections Analyzed that were Polarized**

	General Elections with Minority Candidates	All Statewide General Election Contests	Statewide Democratic Primary
Statewide	6/6	12/13	1/1
Genesee	5/6	9/13	1/1
Saginaw	6/6	11/13	1/1
Oakland	6/6	13/13	0/1
Wayne	3/6	7/13	1/1

Every statewide general election contest analyzed was polarized in Oakland County – only in the Democratic primary for Governor in 2018 did Black and white voters support the same candidate (Gretchen Whitmer). Voting in Saginaw County was nearly as polarized: two U.S. Senate contests (2012 and 2014) were not polarized, but the gubernatorial primary was polarized. Black and white voters agreed on the same candidates slightly more often in Genesee County – in addition to supporting U.S. senate candidates Debbie Stabenow in 2012 and Gary Peters in 2014, they both supported Barack Obama in 2012 and Democrat Mark Schauer for Governor in 2014.

Voting in Wayne County was considerably less racially polarized than statewide or in the other three counties studied. However, slightly more than half of the general election contests and the one statewide Democratic primary analyzed were polarized, with Black and white voters supporting the same candidates in 2012, disagreeing on the three statewide offices, but supporting the same U.S. Senate candidate in 2014, supporting different candidates for U.S. President in 2016 and 2020, and voting for most of the same candidates in 2018.

### C. Congressional and State Legislative Election Results

This section provides a summary of my racial bloc voting analysis of recent congressional and state legislative districts in the four-county area of Wayne, Oakland, Genesee and Saginaw. I analyzed 2018 and 2020 general elections, and the 2018 and 2020 Democratic primaries if at least one African American candidate competed in the election contest. However, for a number of state

only the first step in the process – it does not take into account the voting patterns of Black and white voters. If voting is racially polarized but a significant number of white voters typically “crossover” to vote for Black voters’ preferred candidate, it may be the case that crossover voting can more than compensate for depressed Black turnout.

***Incorporating Minority Cohesion and White Crossover Voting*** Even if Black citizens are turning out at lower rates than whites, and voting is racially polarized, if a relatively consistent percentage of white voters support Black-preferred candidates, the candidates preferred by Black voters can be elected in districts that are less than majority Black. On the other hand, if voting is starkly polarized, with few or no whites crossing over to vote for the candidates supported by Black voters, it may be the case that a district that is more than 50% Black VAP is needed to elect Black-preferred candidates. A district-specific, functional analysis should take into account not only differences in turnout rates, but also the voting patterns of Black and white voters.<sup>21</sup>

To illustrate this mathematically, consider a district that has 1000 persons of voting age, 50% of who are Black and 50% of who are white. Let us begin by assuming that Black turnout is lower than white turnout in a two-candidate general election. In our hypothetical election example, 42% of the Black VAP turn out to vote and 60% of the white VAP vote. This means that, for our illustrative election, there are 210 Black voters and 300 white voters. Further suppose that 96% of the Black voters supported their candidate of choice and 25% of the white voters cast their votes for this candidate (with the other 75% supporting her opponent in the election contest). Thus, in our example, Black voters cast 200 of their 210 votes for the Black-preferred candidate and their other 8 votes for her opponent; white voters cast 75 of their 300 votes for the Black-preferred candidate and 225 votes for their preferred candidate:

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Thus, for example, if 39.3% of the Black population turned out and 48.3% of the white population turned out,  $B = .483$  and  $A = .393$ , and  $M = .483 / (.393 + .483) = .483 / .876 = .5513$ , therefore a Black VAP of 55.1% would produce an equal number of Black and white voters. (For a more in-depth discussion of equalizing turnout see Kimball Brace, Bernard Grofman, Lisa Handley and Richard Niemi, “Minority Voting Equality: The 65 Percent Rule in Theory and Practice,” *Law and Policy*, 10 (1), January 1988.)

<sup>21</sup> For an in-depth discussion of this approach to creating effective minority districts, see Bernard Grofman, Lisa Handley and David Lublin, “Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence,” *North Carolina Law Review*, volume 79 (5), June 2001.

It is important to remember that winning office in the United States usually requires winning two elections: a primary and a general election. The tables above consider only general election contests. Producing a comparable set of tables for Democratic primaries is not possible. First, there was only one statewide Democratic primary – the 2018 primary contest for Governor. There were three candidates competing in this election and because 50% of the vote was not required to win the election, a mathematical equation setting the percentage needed to win 50% of the vote does not work. Second, Black voters were not cohesive in support of any one of these three candidates. In fact, the candidate preferred by even the plurality of Black voters was not the same in the four counties examined. Drawing a district that Black-preferred candidate could win this primary is not possible when there is no Black-preferred candidate.

In areas where most of the white voters are likely to vote in Republican primaries, the inability to calculate the percent needed to win in Democratic primaries is not particularly important. Black voters will dominate the Democratic primary unless they make up only a very small portion of the voters in the district. However, in the counties examined in Michigan, many white voters elect to participate in the Democratic primary, especially in Wayne County. As the percentage Black VAP of proposed districts decreases, it may become more challenging for Black-preferred candidates to win not only the general election but the Democratic primary – but only if voting in Democratic primaries is racially polarized. Unfortunately, it is not possible to ascertain exactly how much more difficult it would be – or even if it would be more difficult – given the lack of Democratic primary election data.

## B. Threshold of Representation in the Current State House and Senate Districts

A useful check on the percent needed to win estimates found in Tables 5-8 that can be done prior to drawing any districts is to produce what have been referred to by some political scientists as “threshold of representation” tables. These tables are designed to identify the lowest minority percentage above which minority candidates are consistently elected. Tables 9 and 10, below, report the BVAP of the current Michigan state house and senate districts with over 20% BVAP, and indicate the race and party of the candidate elected to represent the district.<sup>23</sup> Sorted

<sup>23</sup> There are no African American state senators or representatives elected from districts that are less than 20% Black in VAP. However, there are other minority candidates (Hispanic, Asian, and Middle Eastern) elected to state house districts with considerably less than 20% BVAP.

by the percent BVAP, the tables can sometimes provide evidence of a clear breakpoint between those districts that are probably electing candidates of choice and those that are not.<sup>24</sup>

An examination Table 9 indicates that every Michigan state house district with a BVAP of at least 35% elects a minority representative to the state house. In fact, every district with a BVAP of more than 26.53% elects a minority to office with the exception of District 49 in Genesee County. And the racial bloc voting analysis of House District 49 indicates that the white incumbent, John Cherry, is the candidate of choice of Black voters, even in the 2018 Democratic primary when he faced several African American candidates.

**Table 9: Threshold of Representation for State House Districts, 2021**

State House District	Total VAP	Black VAP	Percent Black VAP	Name	Party	Race	Percent of Vote 2020
7	60347	57256	94.27%	Helena Scott	D	Black	93.00%
8	62448	58042	92.42%	Stephanie A. Young	D	Black	96.70%
3	54130	49536	90.93%	Shri Thanedar	D	Asian	93.30%
9	62529	46806	74.22%	Karen Whitsett	D	Black	94.20%
10	69209	46977	67.41%	Mary Cavanagh	D	Hispanic	84.80%
1	59788	38993	64.76%	Tenisha R. Yancey	D	Black	75.80%
35	78306	49325	62.50%	Kyra Harris Bolden	D	Black	82.90%
34	49491	30419	60.96%	Cynthia R. Neeley	D	Black	86.70%
2	57031	33142	57.70%	Joe Tate	D	Black	74.10%
5	49290	27190	54.12%	Cynthia A. Johnson	D	Black	93.40%
6	67505	36182	52.86%	Tyrone Carter	D	Black	100.00%
4	68749	32761	47.27%	Abraham Aiyash	D	ME	89.80%
29	72319	26621	36.04%	Brenda Carter	D	Black	72.90%
95	58640	21320	35.50%	Amos O'Neal	D	Black	70.10%
49	64844	19308	29.47%	John D. Cherry	D	White	68.90%
54	72426	21212	28.79%	Ronnie Peterson	D	Black	77.70%
12	73883	20207	26.97%	Alex Garza	D	Hispanic	62.40%
11	73586	19760	26.53%	Jewell Jones	D	Black	65.20%
92	66135	16957	25.34%	Terry J. Sabo	D	White	65.30%
27	73337	18051	24.35%	Regina Weiss	D	White	74.40%
16	74617	17556	23.25%	Kevin Coleman	D	White	62.50%
75	76956	18127	22.56%	David LaGrand	D	White	74.60%
68	71672	16808	22.44%	Sarah Anthony	D	Black	75.90%
18	75251	16519	21.76%	Kevin Hertel	D	White	60.30%
22	68758	14588	21.00%	Richard Steenland	D	White	59.90%
60	74176	15887	20.97%	Julie M. Rogers	D	White	71.40%

<sup>24</sup> Without the confirmation provided by a racial bloc voting analysis, it could conceivably be the case that the minority legislator is not the candidate of choice of minority voters.

Interpreting Table 10, for the Michigan state senate, is less straightforward. The four districts with BVAP percentages over 47% elect African Americans to office. However, Stephanie Chang, the state senator in District 1, which is 44.68% BVAP, was not the candidate of choice of Black voters in the 2018 Democratic primary, though she is the candidate of choice in the general election.

**Table 10: Threshold of Representation for State Senate Districts, 2021**

State Senate District	Total VAP	Black VAP	Percent Black VAP	Name	party	race	Percent of vote 2018
5	203828	111418	54.25%	Betty Alexander	D	Black	77.4%
2	169357	86961	50.82%	Adam Hollier	D	Black	75.7%
3	186758	90737	48.14%	Sylvia Santana	D	Black	81.8%
4	180199	85691	47.00%	Marshall Bullock	D	Black	78.3%
1	193087	87075	44.68%	Stephanie Chang	D	Asian	72.0%
11	229870	82336	35.48%	Jeremy Moss	D	White	76.7%
27	175918	54071	30.42%	Jim Ananich	D	White	71.2%
9	219325	50800	22.95%	Paul Wojno	D	White	65.9%
6	217734	46997	21.29%	Erika Geiss	D	Black	61.4%

### C. Recompiled Election Results

As noted above, once draft districts have been drawn, there is a second approach available for ascertaining whether a proposed district is likely to provide minority voters with an opportunity to elect their candidates of choice to legislative or congressional office. This approach relies on recompiling election results from previous elections to see if the candidates preferred by minority voters would win in the draft district. This process entails (1) identifying “bellwether” elections, (2) disaggregating the precinct level results for these elections down to the census block level and then (3) re-aggregating the results up to conform to proposed district boundaries to determine if the minority-preferred candidate would win. This recompilation can only be done

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MICRC

09/02/21-1300 Meeting

Captioned by Q&A Reporting, Inc., [www.qacaptions.com](http://www.qacaptions.com)

Exhibit 3

>> VICE CHAIR SZETELA: We will bring the Michigan Independent Citizens Redistricting Commission to order at 1:06 p.m.

Greetings to Ann Arbor. We are happy to be here today. There are several groups that are making this meeting possible. I would like to thank Tom Ivako, Bonnie Roberts and Logan Woods of the center for local, state and urban policy here at the University of Michigan. ~~Ellen Werman and Nate Hall~~, campus election management project. Landon Meyers, campus vote project. It's gratifying that so many groups are here to assist the MICRC in engaging people in redistricting here in Michigan.

This Zoom webinar is being live streamed at YouTube at [www.YouTube.com/MICHSO office/videos](https://www.YouTube.com/MICHSO office/videos).

For anyone in the public watching who would prefer to watch via a different platform than they are currently using, please visit our social media at Redistricting MI to find the link for viewing on YouTube.

Our live stream today includes closed captioning. Closed captioning, ASL interpretation, and Spanish and Bengali and Arabic translation services will be provided for effective participation in this meeting. Please E-mail us at [Redistricting@Michigan.Gov](mailto:Redistricting@Michigan.Gov) for additional viewing options or details on accessing language translation services for this meeting.

People with disabilities or needing other specific accommodations should also contact Redistricting at Michigan.gov.

This meeting is also being recorded and will be available at [www.Michigan.gov/MICRC](http://www.Michigan.gov/MICRC) for viewing at a later date and this meeting is being transcribed and closed-captioned transcriptions will be made available and posted on Michigan.gov/MICRC along with the written public comment submissions.

There is also a public comment portal that may be accessed by visiting Michigan.gov/MICRC, this portal can be utilized to post maps and comments which can be viewed by both the Commission and the public.

Members of the media who may have questions before, during or after the meeting should direct those questions to Edward Woods III, our Communications and Outreach Director for the Commission at WoodsE3@Michigan.gov or 517-331-6309.

For the purposes of the public watching and for the public record I will now turn to the Department of State staff to take note of the Commissioners

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The first and Foremost criteria are the U.S. Constitution and Federal law and the Voting Rights Act is Federal law.

And it applies everywhere in the country including Michigan.

It prohibits any voting standard practice or procedure including a redistricting plan that results in the denial or dilution of minority voting strength.

A redistricting plan that dilutes minority voting strength is one that either cracks or packs a geographically concentrated minority group.

A top example to the left is or to the right is an example of a District, a set of districts that cracks the minority community by dividing it among four districts, five districts so that they cannot elect a minority preferred candidate in any of those districts.

The lower example on the right is an example of a District or District center that packs minority voters so that they have an impact on only one District and no impact on any of the other districts despite the fact that you could probably have drawn two districts in which they had the ability to elect communities, to elect candidates of choice.

When the Voting Rights Act was amended in 1982 to make it clear that you did not have to show that the redirectors intended to discriminate only that the plan that they drew actually resulted in discrimination.

The Supreme Court first considered this case in 1986 in a case called Thornburg versus Jingles and had to prove three conditions in order to satisfy Section Two and get a District drawn in which they could have the ability to elect a candidate of choice.

First is that the group must be sufficiently large and geographically compact to form a majority in a single member District.

This is in essence so there was actually a remedy available.

There is a solution to the problem of how do we elect candidates of choice.

The second is that the minority group must be politically cohesive.

That is, they must vote for the same candidates.

And, third, whites must vote as a bloc to usually defeat the minority-preferred candidates.

If they were not voting as a bloc to defeat these candidates, these candidates would win, and you wouldn't need to draw a minority District.

So how do we know how the minority group is voting? How do we know how whites are voting? What you do is conduct a racial bloc voting analysis.

And my job in this particular situation is to actually carry out what's called a racial bloc voting analysis that is analyze voting patterns by race to determine if voting is polarized. If whites are voting against a cohesive minority community.

I mentioned that first of all we have, of course, a secret ballot.

We don't know the race of the voters when they cast the ballot.

So, we have to use estimation techniques.

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And the two most standard estimation techniques are ecological regression analysis and ecological inference analysis. Ecological simply means you are using aggregate data.

What we are going to do is we are going to look at precincts rather than individuals. And we are going to look to see if there are patterns across the precincts in which the demographic composition of the precinct is related to the voting patterns of those precincts.

So, on the left we see ecological regression each precinct in the jurisdiction has been placed on the scatter plot on the basis of the percent Black turnout this is the jurisdiction in the south where we actually know turn out by race.

And the vertical axis is vote for Warnock this is an election that occurred in January of 2021 it's the race for U.S. Senate in Georgia.

This is real data in a specific County.

You can see a pattern here and the pattern is the higher the percent Black across the precincts the more votes you see for Warnock that is the estimation technique we used to determine how whites and Blacks are voting in this particular jurisdiction.

This practice, this particular technique had one disadvantage associated with it and that voting was very polarized, you would get estimates that were outside the logical bounds and would find something like 105 Blacks vote 105% of Black voters voted for Warnock. And negative 5 white voters voted for Warnock.

So, in the 1990s Professor King developed ecological inference, that you see on the right side. And this process, each precinct is actually represented by a line rather than a point using more information about the precinct to get this line. And that is all the possible combinations of Black and white votes that could have produced the result for that particular precinct as represented by a line as opposed to a point.

And then the computer generates a best guesstimate of what the actual composition of the votes for the Black candidate were, was.

So, this is the analysis that I performed in Michigan.

Now you need a few pieces of information in order to perform this.

And that is that you need to have an area that has a sufficient number of minority voters to actually estimate voting behavior by race.

I looked at eight counties.

There were several counties in the west of Michigan that had growing minority population around Grand Rapids, Muskegon County and Kent County and it turns out there was not a sufficient number of minority votes to estimate behavior voting behavior on the basis of race in those two counties.

The same is true of I looked at six counties in the east.

I was able to produce estimates for Wayne, Oakland, Genesee and Saginaw Counties, I was not able to do so for Washtenaw and Macomb Counties there was not a sufficient amount of Black turn out to estimate Black and white behavior in those two counties so

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what I'm going to give you is the results of analysis for statewide for the entire State of Michigan and for these four counties.

Because actually what you want to do you want to do an area specific analysis because it turns out that voting patterns are different depending where you are in the state.

For example, it may be the case using the example I gave you before of the Georgia election.

Turns out that in the rule areas of Georgia the election was very polarized while in the urban area around Fulton it was much less polarized.

In fact, it wasn't polarized at all in certain areas.

So, it matters where you are in the state as to how much polarization there is and when you're drawing districts it matters what it looks like in that specific area.

The Court is quite adamant about doing a District-specific and am analysis and this is why I looked at these counties.

I looked at 13 elections there have been 13 statewide and Federal elections over the decade.

These include U.S. Senate, U.S. president, U.S. Senate, and three statewide contests, the gubernatorial contests the Attorney General and Secretary of State and the treasurer.

Four statewide contests.

Now the courts have indicated that the most probative contest to look at are contests include minority candidates.

So, you've had four contests statewide contests over the last decade that included minority candidates.

These are the most probative.

You have also listed them here.

You had the 2012 race for U.S. president.

You had a 2014 Secretary of State contest.

You had the 2018 and 2020 U.S. Senate contests.

Then you had two contests that included minority candidates as running mates.

This is the 2018 gubernatorial contest and the 2020 Presidential contest.

So, these I looked at all 13 statewide contests, but these are the most probative according to the courts.

Ordinarily I would look at statewide democratic primaries as well.

I could not look at republican primaries there is not enough minority participation in republican primaries to actually analyze voting patterns by race.

So, I look at democratic primaries.

And in this case, you've only had one statewide democratic primary.

This entire decade and that was in 2018 for Governor.

So, I looked at that contest as well.

This is what the results look like.

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And I'm going to explain how to read this table.

Every election that I looked at for every area has a table that looks like this.

So, this is statewide.

This is the election listed here, 2018 Governor.

And here are the candidates.

Here are the parties of the candidates.

Here are the races of the candidates.

Here is the votes that they received statewide.

Now, there are actually four estimates for Black voters and there are four estimates for white voters.

I talked to you about ecological regression and mentioned the problem you have with ecological regression and there sit 104 of Black voters supporting Whitmer.

I didn't mention homogenous precinct.

This is actual these are the actual results of precincts across the state that are overwhelmingly one race.

So these are precincts across the state that are 90% or more voting age population Black in composition.

So that's how I derived the homogenous and this is actual data so looking at 90% plus precincts 90 per cent plus Black age population precincts 95.6% of those voters supported Whitmer.

There are actually two different forms of ecological inference analysis.

One is called two by two.

And that is the one that was developed in the 1990s.

It's since been refined so that I can account for differential turn out and that's what is in the last column 95.3%.

Now all of these are derived from different techniques.

You wouldn't expect them to be exactly the same, but they are all telling a very similar story and that is overwhelming Black support for Whitmer.

On the other side of this table, we will get our estimates.

I report the estimates for the white voters.

So let me see if I can get this to work.

But it's not doing this.

Okay, so we've got 41.1% in the overwhelmingly white precincts, 41.1% of the voters supported Whitmer.

The AR estimate is 38.9.

The two by two is 40.6.

And let me see and the C is 44.8% so these are estimates.

Now I forgot to mention down here the votes for office this is the percentage of voting age population that actually turned out and cast a ballot for that particular office.

So, you can see there is a difference in turn out rates.

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And that is around 35% of Black voting age population turned out and cast a ballot for the Governor in 2018.

While the number was higher almost double for white voters.

This contest is racially polarized.

If Blacks voting alone had voted alone Whitmer would have been elected.

She was.

And then of course if whites voted alone, it would have been the republican candidate who was elected.

Below I have the primary for this election.

I have the gubernatorial primary of 2018.

We have the three candidates listed here.

We have they are all democrats.

We have their race.

We have the percentage of votes they received.

And you will see that this contest is also polarized.

This contest you have a plurality of the Black voters supporting Thanedar and majority of the white voters supported Whitmer.

So, this contest is also polarized.

Okay, now I did this, and you will see tables in the report that I eventually produce for every election but I'm going to show you summaries of this in a little bit.

So, over all statewide in the 13 elections that I looked at, 12 were polarized.

And those elections that are most probative to the courts, that is those that included minority candidates, 6 out of the 6 were polarized in the democratic primary which there was only one it was polarized.

And I money -- mentioned I looked at four counties and these are the results of the analysis in four counties in Genesee County we have nine of the 13 contests polarized with five of the six with minority candidates.

The democratic primary was polarized.

And Saginaw it's 11 out of 13 of the contests, six out of six of those contests with minority candidates.

And the democratic primary was polarized.

In Oakland all 13 of the general elections were polarized including the six with minority candidates but the democratic primary was not.

And finally in Wayne County where voting is less polarized you will see that 7 of the 13 contests were polarized, three of those were minority candidates and the democratic primary was polarized.

What this tells me is that voting is polarized in Michigan.

And what that means is the Voting Rights Act comes into play in districts that provide minority voters with the opportunity to elect their candidates must be drawn.

Okay, so voting is polarized.

## DETERMINING IF A REDISTRICTING PLAN COMPLIES WITH THE VOTING RIGHTS ACT

Dr. Lisa Handley

1

### Redistricting Criteria Priority Pyramid: Voting Rights Act of 1965

- Section 2 prohibits any voting standard, practice or procedure, including a redistricting plan, that results in the denial or dilution of minority voting strength.
- All state and local jurisdictions are covered by Section 2 of the Voting Rights Act.

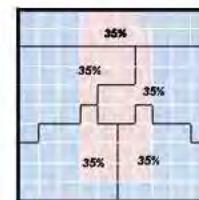


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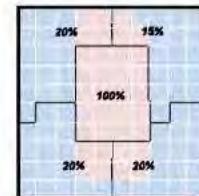
### Redistricting Plans that Violate the Voting Rights Act

Redistricting plans cannot:

- crack, or
- pack a geographically concentrated minority community across districts or within a district in a manner that dilutes their voting strength.



Plan that cracks minority community across 5 districts



Plan that packs minority community into single district

3

### *Thornburg v. Gingles: Three-Pronged Test*

U.S. Supreme Court held that plaintiffs must satisfy three preconditions to qualify for relief under Section 2 of the Voting Rights Act:

- The minority group must be sufficiently large and geographically compact to form a majority in a single-member district
- The minority group must be politically cohesive
- Whites must vote as a bloc to usually defeat the minority-preferred candidates

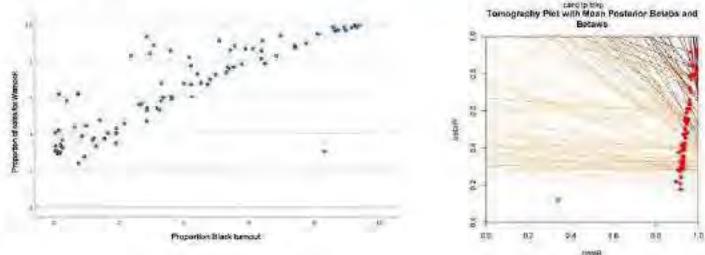
A racial bloc voting analysis is used to ascertain whether minority voters are politically cohesive and if white voters bloc vote to usually defeat minority-preferred candidates.

4

## Analyzing Voting Behavior by Race

Two standard statistical techniques for estimating voting patterns of minority and white voters:

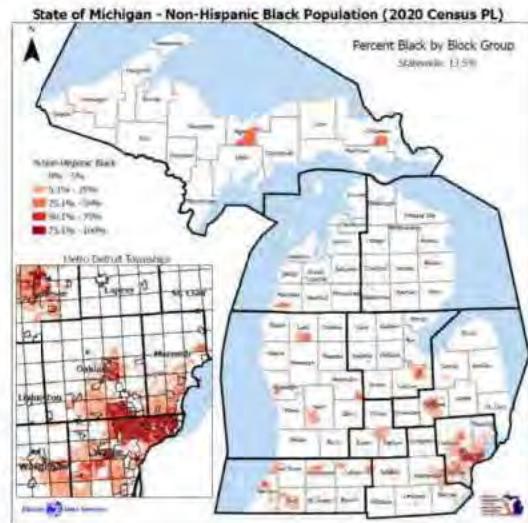
- Ecological regression analysis (ER)
- Ecological inference analysis (EI)



5

## Area-Specific Analyses

- Wayne
- Oakland
- Genesee
- Saginaw



6

## Elections Analyzed to Date

- All federal and statewide general election contests, 2012-2020.
  - Four election contests included minority candidates:
    - 2012 U.S. President (Barack Obama)
    - 2014 Secretary of State (Godfrey Dillard)
    - 2018 U.S. Senate (John James)
    - 2020 U.S. Senate (John James)
  - Two contests included minority candidates as running mates
    - 2018 Governor (Gretchen Whitmer/Garlin Gilchrist)
    - 2020 U.S. President (Joseph Biden/Kamala Harris)
- Only Democratic primary for statewide office this past decade: 2018 race for governor

7

## Example of RBV Results: 2018 General and Democratic Primary for Governor

Statewide	Estimates for Black Voters					Estimates for White Voters					
	Party	Race	Vote	HP	ER	EI 2x2	EI RxC	HP	ER	EI 2x2	EI RxC
2018 General											
Governor											
Whitmer/Gilchrist	D	W/A	53.3%	95.6	104.3	98.6	95.3	41.1	38.9	40.6	44.8
Schuette/Lyons	R	W	43.8%	2.5	-6.4	0.6	1.8	56.0	57.9	56.2	52.8
others				1.9	2.1	2.6	2.9	3.2	2.9	2.5	
votes for office				36.6	31.6	35.2	35.2	61.9	61.7	63.3	63.3
STATEWIDE											
Abdul El-Sayed	D	ME	30.2%	21.0	24.2	23.5	26.0	25.7	27.1	30.2	28.5
Shri Thanedar	D	A	17.7%	42.5	44.2	42.2	39.0	15.8	12.9	10.8	9.4
Gretchen Whitmer	D	W	52.0%	36.5	31.6	33.5	35.0	58.6	60.0	59.4	62.0
votes for office				23.0	22.5	24.5	24.5	13.9	12.0	14.0	14.0

- **votes for office** = percentage of voting age population who turned out and cast a vote for the office
- HP = vote percentages from homogeneous precincts
- ER = estimates derived from ecological regression analysis
- EI 2x2 = estimates derived from standard EI (as developed by Prof. Gary King)
- EI RxC = estimates derived from EI technique that takes into account differences in participation by race

8

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### Number of Racially Polarized Elections

	General Elections with Minority Candidates	All Statewide General Election Contests	Statewide Democratic Primary
Statewide	6/6	12/13	1/1
Genesee	5/6	9/13	1/1
Saginaw	6/6	11/13	1/1
Oakland	6/6	13/13	0/1
Wayne	3/6	7/13	1/1

Number of polarized contests / total number of contests

9

### Drawing Minority Opportunity Districts

- Line drawers cannot simply set an arbitrary demographic target (e.g., 50% black voting age population) for all minority districts across the jurisdiction (*Alabama Legislative Black Caucus v. Alabama*, 2015).
- A district-specific, functional analysis is required to determine if a proposed district will provide minority voters with the ability to elect minority-preferred candidates to office.

11

### Complying with the Voting Rights Act

- If, based on the racial bloc voting (RBV) analysis, it is determined voting is racially polarized, and candidates preferred by a politically cohesive minority group are usually defeated by white voters not supporting these candidates, a district(s) that offers minority voters an opportunity to elect their candidates of choice must be drawn.
- If such districts already exist, and minority-preferred candidates are winning only because these districts exist, then these minority districts must be maintained in a manner that continues to provide minority voters with an opportunity to elect their preferred candidates.

10

### District-specific, Function Approaches

- Estimates of participation rates, minority cohesion and white crossover voting for minority-preferred candidates derived from the RBV analysis can be used to calculate the percent minority population needed in a specific area for minority-preferred candidates to win a district in that area.
- Election results from previous contests that included minority-preferred candidates ("bellwether elections" as identified by the RBV analysis) can be recompiled to reflect the boundaries of the proposed district to determine if minority-preferred candidates would consistently carry this proposed district.

12

Michigan STATEWIDE Percent Black VAP needed to win	rate of B-P candidate	turnout rate for office and percent vote for black-preferred candidates										
		Black votes		White votes		percent of vote B-P cand would have received if district was 55% black	percent of vote B-P cand would have received if district was 50% black	percent of vote B-P cand would have received if district was 45% black	percent of vote B-P cand would have received if district was 40% black			
		votes cast for office	B-P all others	votes cast for office	B-P all others	VAP	VAP	VAP	VAP			
<b>GENERAL ELECTIONS</b>												
2020 President	W	55.2	96.2	3.8	79.0	40.0	60.0	65.0	63.1	60.4	57.9	55.4
2020 US Senate	W	55.0	93.9	6.1	76.1	39.4	60.6	64.8	61.9	59.3	56.8	54.4
2018 Governor	W	35.2	95.3	4.7	63.3	44.8	55.2	65.2	62.8	60.6	58.5	56.4
2018 Secretary of State	W	35.1	95.6	4.4	62.2	43.9	56.1	65.0	62.6	60.2	58.0	55.9
2018 Attorney General	W	34.6	94.4	5.6	61.7	39.4	60.6	61.8	59.2	56.7	54.4	52.2
2018 US Senate	W	35.0	94.3	5.7	63.1	43.7	56.3	64.1	61.8	59.5	57.4	55.3
2016 President	W	54.1	97.3	2.7	67.2	34.3	65.7	65.5	62.4	59.3	56.3	53.4
2014 Governor	W	35.1	95.7	4.3	49.1	38.5	61.5	65.2	62.3	59.8	57.0	54.4
2014 Secretary of State	AA	34.8	95.8	4.2	47.8	33.5	66.5	62.8	59.7	56.8	53.9	51.0
2014 Attorney General	W	34.6	95.2	4.8	47.8	35.0	65.0	63.3	60.3	57.4	54.6	51.2
2014 US Senate	W	35.0	95.3	3.5	46.5	47.3	52.7	70.3	67.9	65.8	63.0	61.1
2012 President	AA	59.1	97.8	2.2	66.1	44.5	55.5	71.0	69.3	66.6	64.0	61.5
2012 US Senate	W	58.8	96.8	3.2	66.9	50.6	49.4	74.5	72.2	69.0	67.7	65.4
<b>Statewide</b>												
<b>Estimates for Black Voters</b>												
<b>2018 General</b>												
<b>Governor</b>												
Whitmer/Gilchrist	D	W/AA	53.3%	95.6	104.3	98.6	95.3	41.1	38.9	40.6	44.8	
Schuitte/Lyons	R	W	43.8%	2.5	-6.4	0.6	1.8	56.0	57.9	56.2	52.8	
others				1.9	2.1	2.6	2.9	3.2	2.9	2.9	2.5	
votes for office				36.6	32.6	35.1	35.2	61.9	62.7	63.3	63.3	

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GENESEE COUNTY Percent Black VAP needed to win	rate of B-P candidate	turnout rate for office and percent vote for black-preferred candidates										
		Black votes		White votes		percent of vote B-P cand would have received if district was 55% black	percent of vote B-P cand would have received if district was 50% black	percent of vote B-P cand would have received if district was 45% black	percent of vote B-P cand would have received if district was 40% black			
		votes cast for office	B-P all others	votes cast for office	B-P all others	VAP	VAP	VAP	VAP			
<b>GENERAL ELECTIONS</b>												
2020 President	W	53.0	96.1	3.9	79.6	42.1	57.9	66.3	63.7	61.1	58.7	56.4
2020 US Senate	W	56.8	95.0	6.0	78.7	43.5	56.5	67.6	65.0	62.6	60.2	57.9
2018 Governor	W	45.1	95.3	4.7	59.8	46.2	53.8	69.8	67.3	64.9	62.6	60.4
2018 Secretary of State	W	44.9	95.2	4.8	58.6	48.0	52.0	70.8	68.5	66.2	64.0	61.8
2018 Attorney General	W	44.6	94.1	5.8	58.4	41.1	58.9	66.7	64.3	61.5	59.0	56.5
2018 US Senate	W	45.1	95.2	4.8	59.6	45.8	54.2	69.5	67.1	64.7	62.4	60.1
2016 President	W	59.0	96.4	3.6	67.3	37.4	62.6	67.9	65.0	62.0	59.2	56.3
2014 Governor	W	35.8	95.8	4.2	47.5	51.8	48.2	72.9	70.7	68.6	65.5	64.5
2014 Secretary of State	AA	35.9	95.6	4.4	46.1	46.2	53.8	70.3	67.8	65.4	63.1	60.8
2014 Attorney General	W	35.9	95.6	4.4	45.5	45.2	54.8	69.9	67.4	65.0	62.8	60.2
2014 US Senate	W	36.1	95.6	4.4	47.1	58.6	41.4	76.5	74.7	72.9	71.1	69.4
2012 President	AA	61.0	97.6	2.4	68.4	53.7	46.3	76.6	74.4	72.2	70.1	67.9
2012 US Senate	W	60.7	96.7	3.3	67.5	60.2	39.8	79.3	77.5	75.7	73.9	72.1

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SAGINAW COUNTY Percent Black VAP needed to win	rate of B-P candidate	turnout rate for office and percent vote for black-preferred candidates							
		Black votes		White votes		percent of vote B-P cand would have received if district was 55% black	percent of vote B-P cand would have received if district was 50% black	percent of vote B-P cand would have received if district was 45% black	percent of vote B-P cand would have received if district was 40% black
		votes cast for office	B-P all others	votes cast for office	B-P all others	VAP	VAP	VAP	VAP
<b>GENERAL ELECTIONS</b>									
2020 President	W	48.6	95.3	4.7	79.6	36.3	63.7	51.5	50.9
2020 US Senate	W	48.4	93.8	6.2	78.7	37.5	62.5	61.7	58.9
2018 Governor	W	37.7	93.0	6.4	63.0	40.9	59.1	63.2	53.7
2018 Secretary of State	W	38.0	93.7	6.3	61.4	39.2	60.8	62.7	57.5
2018 Attorney General	W	37.6	93.4	6.6	61.0	33.3	66.7	58.1	52.6
2018 US Senate	W	37.8	93.5	6.5	62.8	39.3	60.7	62.3	59.7
2016 President	W	52.3	95.0	5.0	70.2	30.6	69.4	61.3	58.1
2014 Governor	W	32.7	94.7	5.9	50.8	42.2	57.8	65.1	62.5
2014 Secretary of State	AA	32.6	94.4	5.6	49.2	36.3	63.7	62.3	59.5
2014 Attorney General	W	32.4	94.1	5.9	50.1	32.6	67.4	59.8	56.8
2014 US Senate	W	32.7	94.1	5.9	50.1	50.6	49.4	66.9	67.8
2012 President	AA	56.2	95.1	4.3	70.3	42.9	57.1	60.0	66.4
2012 US Senate	W	55.7	95.4	4.6	68.7	52.3	47.7	73.8	69.5

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OAKLAND COUNTY Percent Black VAP needed to win	rate of B-P candidate	turnout rate for office and percent vote for black-preferred candidates										
		Black votes		White votes		percent of vote B-P cand would have received if district was 55% black	percent of vote B-P cand would have received if district was 50% black	percent of vote B-P cand would have received if district was 45% black	percent of vote B-P cand would have received if district was 40% black			
		votes cast for office	B-P all others	votes cast for office	B-P all others	VAP	VAP	VAP	VAP			
<b>GENERAL ELECTIONS</b>												
2020 President	W	71.8	93.4	6.8	86.4	45.9	54.1	69.8	67.4	65.1	62.8	60.6
2020 US Senate	W	71.4	92.1	7.9	85.4	43.5	56.5	68.1	65.6	63.2	60.3	58.6
2018 Governor	W	53.2	94.1	5.9	66.8	47.4	52.6	70.1	67.8	65.5	63.3	61.1
2018 Secretary of State	W	53.1	94.2	5.8	67.7	47.5	52.5	70.4	68.0	65.8	63.5	61.4
2018 Attorney General	W	52.6	93.8	6.2	67.0	43.0	57.0	68.9	65.3	62.8	60.4	58.1
2018 US Senate	W	53.2	93.0	7.0	88.7	45.5	54.5	68.6	66.2	63.9	61.7	59.5
2016 President	W	65.6	95.1	4.9	73.5	36.1	60.9	68.3	65.5	62.7	60.3	57.3
2014 Governor	W	46.3	94.8	5.2	54.6	30.9	69.4	63.3	60.1	58.9	55.8	50.7
2014 Secretary of State	AA	45.9	94.6	5.4	53.1	26.4	73.6	61.4	58.0	54.7	51.3	48.1
2014 Attorney General	W	45.8	94.1	5.9	52.6	32.9	67.1	64.5	61.4	58.4	55.4	52.4
2014 US Senate	W	45.5	95.0	5.0	53.7	46.7	53.3	71.5	69.3	66.7	64.4	62.1
2012 President	AA	68.2	95.7	4.3	75.7	42.1	57.9	70.3	67.5	65.0	62.3	59.7
2012 US Senate	W	67.8	95.8	4.2	74.0	47.6	52.4	73.1	70.6	68.3	65.8	63.5

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WAYNE COUNTY Percent Black VAP needed to win race by P	turnout rate for office and percent vote for black-preferred candidates											
	Black votes					White votes						
	votes cast for office	BP	all others	votes cast for office	BP	all others	percent of vote BP+ cand would have received if district was 55% black	percent of vote BP+ cand would have received if district was 50% black	percent of vote BP+ cand would have received if district was 45% black	percent of vote BP+ cand would have received if district was 40% black		
<b>GENERAL ELECTIONS</b>												
2020 President	W	58.0	97.5	2.5	76.6	47.5	52.5	71.5	69.0	66.6	64.3	62.0
2020 US Senate	W	57.8	96.2	4.8	75.6	47.2	52.8	70.4	68.0	65.7	63.4	61.2
2018 Governor	W	33.2	97.0	3.0	63.2	53.5	46.5	70.5	68.5	66.6	64.8	63.1
2018 Secretary of State	W	33.1	97.0	3.0	62.2	53.6	46.4	70.7	68.7	66.8	65.0	63.3
2018 Attorney General	W	32.7	95.5	4.5	61.3	49.4	50.6	67.6	65.4	63.4	61.5	59.7
2018 US Senate	W	33.1	95.8	4.2	61.1	52.3	47.7	69.3	67.3	65.4	63.6	61.3
2016 President	W	57.0	98.4	1.6	64.0	39.7	60.3	70.3	67.4	64.4	61.6	58.7
2014 Governor	W	35.8	95.5	3.5	47.7	41.3	58.7	67.7	65.0	62.3	59.7	57.2
2014 Secretary of State	AA	35.5	96.3	3.2	46.1	36.8	63.2	65.9	62.9	60.0	57.2	54.4
2014 Attorney General	W	35.3	95.4	4.3	45.9	41.0	59.0	67.3	64.8	62.1	59.5	57.4
2012 US Senate	W	35.7	98.0	2.0	66.0	53.4	46.6	74.8	72.7	70.5	68.4	66.4
2012 President	AA	60.4	99.0	1.0	65.7	51.9	48.1	76.8	74.5	72.1	69.8	67.5
2012 US Senate	W	59.9	98.1	1.8	64.4	57.6	42.4	78.1	77.1	75.1	73.1	71.1

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State House Districts	Total VAP	Black VAP	Percent Black	Party	Percent of Vote
1 169047	524,256	96,298	18.4%	Dem	43.0
2 62148	286,012	87,978	30.8%	Rep	36.7
3 54110	495,717	97,511	19.3%	Rep	43.3
4 112191	468,011	74,218	16.1%	Rep	42.2
5 192101	659,977	124,888	18.9%	Rep	48.8
6 192109	386,971	65,229	16.9%	Rep	47.6
15 743106	492,523	62,929	12.7%	Rep	42.9
14 209101	324,111	62,416	19.2%	Rep	40.7
2 110103	333,027	55,138	16.4%	Rep	40.7
5 220101	271,011	50,166	18.5%	Rep	41.6
16 181102	362,984	59,466	16.4%	Rep	40.0
7 181105	32,611	4,711	14.6%	Rep	89.8
29 171101	22,610	3,485	15.5%	Rep	72.9
30 560107	221,610	38,195	17.3%	Rep	47.1
19 149101	19,409	2,678	13.8%	Rep	68.9
41 711101	23,717	3,149	13.3%	Rep	77.7
42 711102	20,919	2,743	13.3%	Rep	74.4
31 173101	19,919	2,519	12.8%	Rep	75.5
21 173102	19,919	2,519	12.8%	Rep	75.3
20 149102	19,409	2,678	13.8%	Rep	68.9
33 713101	16,813	2,518	14.8%	Rep	74.4
35 713102	17,356	2,138	12.4%	Rep	62.5
36 716101	17,818	2,739	15.6%	Rep	75.9
18 412101	16,119	2,196	13.6%	Rep	60.1
19 412102	16,119	2,196	13.6%	Rep	60.1
37 141101	14,088	2,242	16.0%	Rep	73.3
32 167101	14,088	2,242	16.0%	Rep	59.9
28 291110	14,011	19,986	14.2%	Rep	60.3
78 104911	22,611	3,579	15.8%	Rep	66.6
33 713101	16,813	2,518	14.8%	Rep	74.4
37 749101	17,166	2,559	14.9%	Rep	67.9
42 194101	13,811	2,678	19.6%	Rep	51.3
21 274101	11,421	2,519	17.8%	Rep	59.2
24 274102	12,558	2,429	19.0%	Rep	62.8
34 195101	12,558	2,429	19.0%	Rep	51.3
59 124101	8517	1,124	13.2%	Rep	54.2
34 725101	8055	1,037	12.9%	Rep	57.5
55 719101	8121	1,072	13.2%	Rep	72.8
56 533101	5021	9,970	19.8%	Rep	60.6

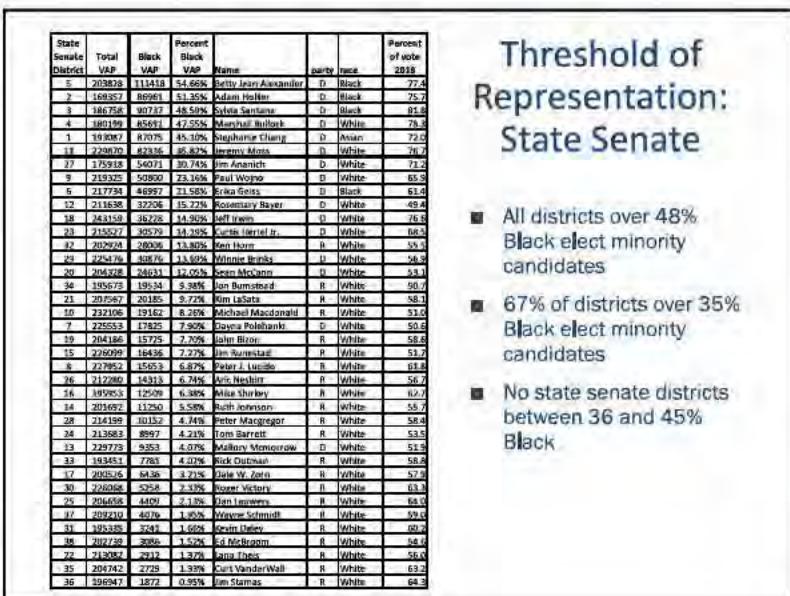
## Threshold of Representation: State House

- All districts over 36% Black elect minority candidates
- 89% of districts over 25% Black elect minority candidates
- No state house districts between 37 and 47% Black

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## Threshold of Representation: State Senate

- All districts over 48% Black elect minority candidates
- 67% of districts over 35% Black elect minority candidates
- No state senate districts between 36 and 45% Black



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